

FEDERAL REGISTER

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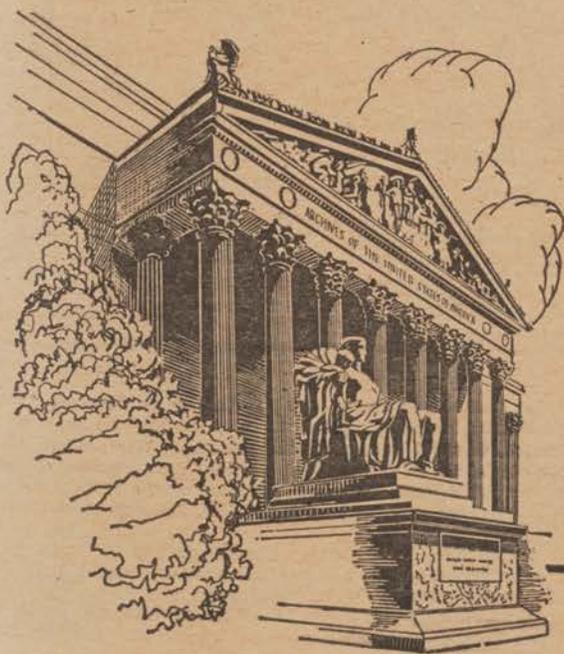
Thursday, January 22, 1970 • Washington, D.C.

Pages 871-931

Agencies in this issue—

The President
Agricultural Research Service
Air Force Department
Civil Aeronautics Board
Civil Service Commission
Commodity Exchange Authority
Consumer and Marketing Service
Customs Bureau
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Fish and Wildlife Service
Food and Drug Administration
Hazardous Materials Regulations Board
Health, Education, and Welfare Department
Indian Affairs Bureau
Interagency Textile Administrative Committee
Internal Revenue Service
International Commerce Bureau
Interstate Commerce Commission
Justice Department
Labor Department
Labor Standards Bureau
Land Management Bureau
Public Health Service
Securities and Exchange Commission
Small Business Administration
Smithsonian Institution
Wage and Hour Division

Detailed list of Contents appears inside.



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Contents

THE PRESIDENT

PROCLAMATION

Natural Poison Prevention Week, 1970 875

EXECUTIVE AGENCIES

AGRICULTURAL RESEARCH SERVICE

Rules and Regulations

Hog cholera and other communicable swine diseases; areas quarantined (2 documents) .. 877, 878

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service; Commodity Exchange Authority; Consumer and Marketing Service.

AIR FORCE DEPARTMENT

Rules and Regulations

Personal commercial affairs..... 888

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:

International Air Transport Association 923

Pacific Northwest-California Investigation 923

Transamerica Corp. et al..... 923

CIVIL SERVICE COMMISSION

Rules and Regulations

Defense Department; excepted service 901

Notices

Defense Department; revocation of authority to make noncareer executive assignment..... 923

COMMERCE DEPARTMENT

See International Commerce Bureau.

COMMODITY EXCHANGE AUTHORITY

Rules and Regulations

Limits of position and daily trading in potatoes for future delivery 880

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Milk in Southern Michigan marketing area; order suspending certain provision..... 900

Oranges, navel, grown in Arizona and California; handling limitation 900

CUSTOMS BUREAU

Rules and Regulations

Electronic products; importation 881

Transportation of passengers between U.S. ports on foreign vessels 881

DEFENSE DEPARTMENT

See Air Force Department.

FEDERAL COMMUNICATIONS COMMISSION

Proposed Rule Making

Watch requirements applicable to limited coast stations and maritime utility stations on shore... 902

Notices

Common carrier services information; domestic public radio services applications accepted for filing..... 924

Standard broadcast applications ready and available for processing (2 documents)..... 926

FEDERAL MARITIME COMMISSION

Proposed Rule Making

Filing of through routes and through rates..... 902

FEDERAL POWER COMMISSION

Rules and Regulations

Uniform system of accounts; Annual Report Forms Nos. 1 and 2..... 879

Proposed Rule Making

Reporting of pipeline failures and interruptions to service..... 903

Notices

Hearings, etc.:

Florida Power Corp..... 927

Transcontinental Gas Pipe Line Co 927

FEDERAL RESERVE SYSTEM

Rules and Regulations

Interest on deposits..... 878

Notices

Savings & Trust Company of Indiana; approval of merger of banks 906

FISH AND WILDLIFE SERVICE

Rules and Regulations

Certain wildlife refuges:
Public access, use and recreation (3 documents)..... 895, 896
Sport fishing (6 documents)..... 896-899

Notices

Winther, John R., and Betty J.; notice of loan application..... 906

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

BHC; lindane; tolerances..... 882

Grapefruit, canned; identity standard, quality, and fill of container 882

Tomato puree and tomato paste; identity standards..... 882

Proposed Rule Making

Bread; identity standard..... 902

Notices

Jensen-Salsbery Laboratories; notice of hearing..... 922

HAZARDOUS MATERIALS REGULATIONS BOARD

Notices

Special permits issued; correction 923

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See also Food and Drug Administration; Public Health Service.

Notices

Deputy General Counsel et al.; delegation of authority..... 922

INDIAN AFFAIRS BUREAU

Rules and Regulations

Fort Hall Indian Irrigation Project, Idaho; operation and maintenance charges..... 880

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

Notices

Certain cotton textile products produced or manufactured in Malaysia; entry or withdrawal from warehouse for consumption 927

INTERNAL REVENUE SERVICE

Rules and Regulations

Income tax; election to include certain restricted property in gross income..... 889

Notices

Maddox, Gary L.; granting of relief 905

INTERNATIONAL COMMERCE BUREAU

Notices

Johnston; order denying export privileges and imposing civil penalty 920

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau.

(Continued on next page)

INTERSTATE COMMERCE COMMISSION**Rules and Regulations**

Car service (3 documents) 894, 895

Notices

Motor carrier, broker, water carrier, and freight forwarder applications 907

Motor carrier transfer proceedings 920

JUSTICE DEPARTMENT**Rules and Regulations**

Witness fees; travel expenses and subsistence of Federal officers and employees summonsed as witnesses for the Government... 883

LABOR DEPARTMENT*See also* Labor Standards Bureau; Wage and Hour Division.**Rules and Regulations**

Labor standards for Federal service contracts; updating of references 883

LABOR STANDARDS BUREAU**Rules and Regulations**

Safety and health standards for Federal service contracts; updating references; clarifying changes 887

LAND MANAGEMENT BUREAU**Notices**California:
Filing of plat of survey 905
Opening of lands from water-power withdrawals 905
Wyoming; order providing for opening of public lands 905**PUBLIC HEALTH SERVICE****Rules and Regulations**

Control of electronic product radiation 889

SECURITIES AND EXCHANGE COMMISSION**Notices**

Flintlock Land Investment Corp.; permanent suspension of exemption 928

SMALL BUSINESS ADMINISTRATION**Proposed Rule Making**

Definition of small business for government procurement and sales of government property... 903

SMITHSONIAN INSTITUTION**Rules and Regulations**

Standards of conduct; political activities 889

TRANSPORTATION DEPARTMENT*See* Hazardous Materials Regulations Board.**TREASURY DEPARTMENT***See* Customs Bureau; Internal Revenue Service.**WAGE AND HOUR DIVISION****Rules and Regulations**

Executive, administrative, and professional exemptions 883

List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1970, and specifies how they are affected.

3 CFR		18 CFR		32 CFR	
PROCLAMATION:		101.....	879	818a.....	888
3954.....	875	141.....	879	36 CFR	
5 CFR		201.....	879	500.....	889
213.....	901	260.....	879	42 CFR	
7 CFR		PROPOSED RULES:		78.....	889
907.....	900	260.....	903	46 CFR	
1040.....	900	19 CFR		PROPOSED RULES:	
9 CFR		4.....	881	536.....	902
76 (2 documents).....	877, 878	12.....	881	47 CFR	
12 CFR		21 CFR		PROPOSED RULES:	
217.....	878	27.....	882	81.....	902
13 CFR		53.....	882	49 CFR	
PROPOSED RULES:		120.....	882	1033 (3 documents).....	894, 895
121.....	903	PROPOSED RULES:		50 CFR	
17 CFR		17.....	902	28 (4 documents).....	895, 896
150.....	880	25 CFR		33 (6 documents).....	896-899
		221.....	880		
		26 CFR			
		13.....	889		
		28 CFR			
		21.....	883		
		29 CFR			
		4.....	883		
		541.....	883		
		1516.....	887		

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3954

NATIONAL POISON PREVENTION WEEK, 1970

By the President of the United States of America

A Proclamation

The number of deaths among children because of poisoning continues to decline. Many segments of our society have worked together to achieve this result and we can be proud of their efforts.

However, despite the progress we have made, the potential for poisoning is increasing. Medicines are being used more widely than before, and our advancing technology continues to make available for household use new products and materials which may be harmful if used improperly.

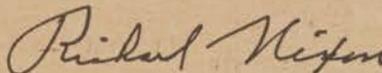
Because children will always have the urge to explore, we must redouble our efforts to emphasize proper use and storage of products which are potentially hazardous.

To focus attention on the dangers of accidental poisoning, the Congress in a joint resolution of September 26, 1961 (75 Stat. 681), requested the President to issue annually a proclamation designating the third week in March as National Poison Prevention Week.

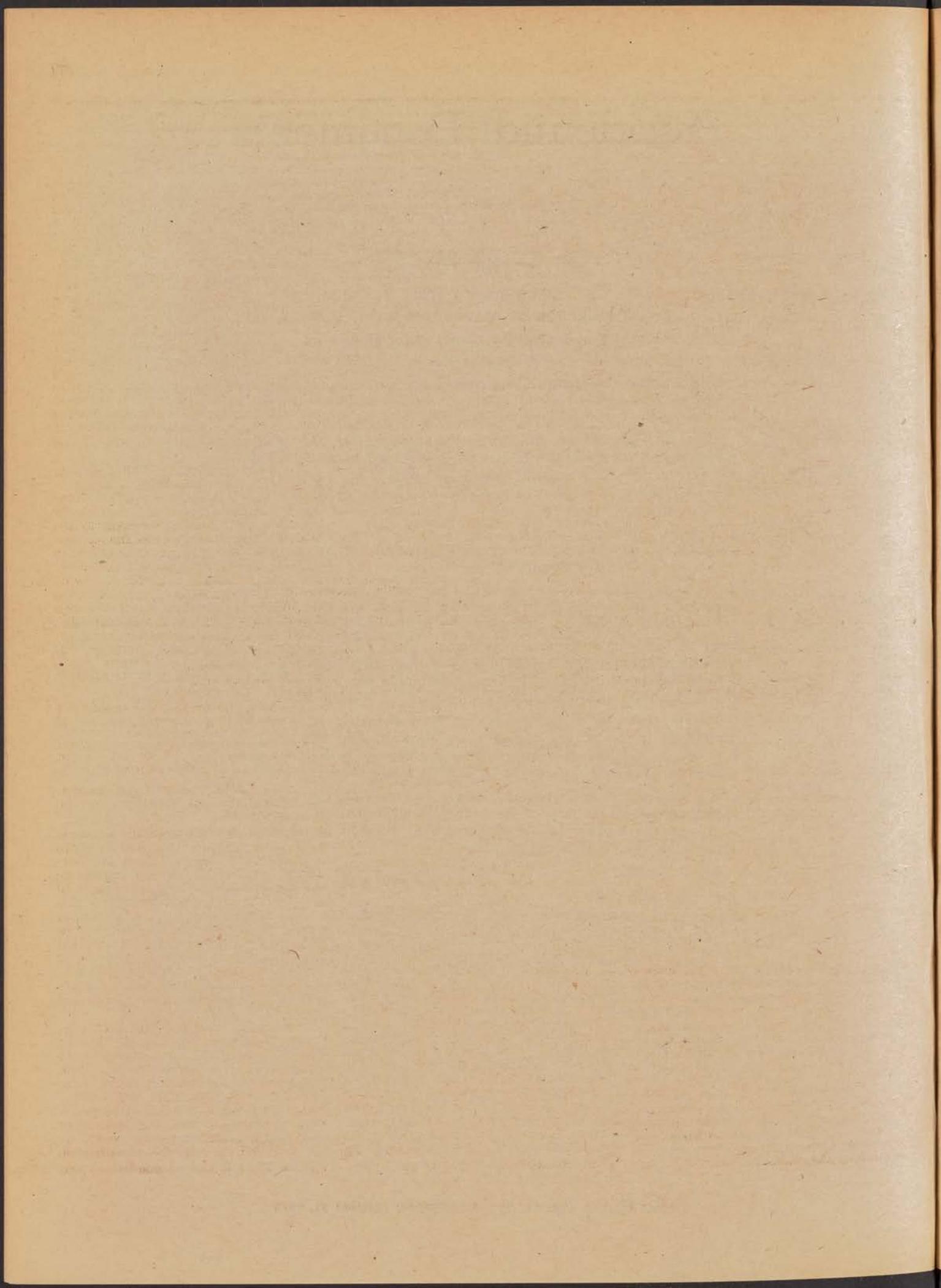
NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning March 15, 1970, as National Poison Prevention Week.

I direct the appropriate agencies of the Federal Government, and I invite State and local governments and organizations, to participate actively in programs designed to promote better protection against accidental poisonings, particularly as they relate to young children.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of January, in the year of our Lord nineteen hundred and seventy, and of the Independence of the United States of America the one hundred and ninety-fourth.



[F.R. Doc. 70-892; Filed, Jan. 21, 1970; 9:52 a.m.]



Rules and Regulations

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, the introductory portion in paragraph (e) is amended by adding thereto the name of the State of Illinois and deleting the name of the State of Missouri.

2. In § 76.2, paragraph (e) (6) relating to the State of Missouri is deleted and a new paragraph (e) (19) relating to the State of Illinois is added to read:

(19) *Illinois.* (i) That portion of Christian County comprised of Buckhart, Mosquito, Mount Auburn, and Stonington Townships.

3. In § 76.2, paragraph (e) (5) relating to the State of Mississippi is amended to read:

(5) *Mississippi.* Calhoun, Grenada, Rankin, Tallahatchie, and Webster Counties.

4. In § 76.2, in paragraph (e) (8) relating to the State of North Carolina, subparagraph (viii) relating to Wilson County is amended and a new subparagraph (ix) relating to Jones and Lenoir Counties is added to read:

(e) * * *

(8) *North Carolina.* * * *

(viii) That portion of Wilson County bounded by a line beginning at the junction of State Highway 58 and the Wilson-Nash County line; thence, following State Highway 58 in a southerly direction to State Road 1163; thence, following State Road 1163 in a southwesterly direction to its junction with State Road 1169; thence, following State Road 1169 in a southwesterly direction to State Road 1103; thence, following State Road 1103 in a southwesterly direction to State Road 1154; thence, following State Road 1154 in a northerly direction to State Highway 42; thence, following State

Highway 42 in a southwesterly direction to State Road 1142; thence, following State Road 1142 in a northwesterly direction to State Road 1149; thence, following State Road 1149 in a northerly direction to its junction with State Road 1301; thence, following State Road 1301 in a northeasterly direction to the Wilson-Nash County line; thence, following the Wilson-Nash County line in a northeasterly direction to its junction with State Highway 58.

(ix) The adjacent portions of Jones and Lenoir Counties bounded by a line beginning at the junction of the Atlantic and East Carolina Railway and the Jones-Lenoir County line; thence, following the Atlantic and East Carolina Railway in a southeasterly direction to State Road 1312; thence, following State Road 1312 in a southerly direction to U.S. Highway 70; thence, following U.S. Highway 70 in an easterly direction to State Road 1313; thence, following State Road 1313 in a southwesterly direction to State Road 1002; thence, following State Road 1002 in a southerly direction to State Road 1305; thence, following State Road 1305 in a southwesterly direction to State Road 1919; thence, following State Road 1919 in a northwesterly direction to State Highway 58; thence following State Highway 58 in a northerly direction to State Road 1916; thence, following State Road 1916 in a westerly direction to State Road 1912; thence, following State Road 1912 in a northerly direction to State Road 1911; thence, following State Road 1911 in a westerly direction to U.S. Highway 258; thence, following U.S. Highway 258 in a northeasterly direction to the Neuse River; thence, following the south bank of the Neuse River in an easterly direction to the Atlantic and East Carolina Railway; thence, following the Atlantic and East Carolina Railway in a southeasterly direction to its junction with the Jones-Lenoir County line.

5. In § 76.2, paragraph (e) (11) relating to the State of Texas is amended to read:

(11) *Texas.* (i) Dallas, Falls, Fayette, Harris, Henderson, Houston, Lee, Nueces, Upshur, and Wilson Counties.

(ii) That portion of El Paso County bounded by a line beginning at the junction of U.S. Highway 54 with the New Mexico-Texas State line; thence, following U.S. Highway 54 in a southwesterly direction to the north bank of the Rio Grande River; thence, following the north bank of the Rio Grande River in a generally northwesterly direction to the New Mexico-Texas State line; thence, following the New Mexico-Texas State line in a generally northerly direction to the northwest corner of El Paso County; thence, following the New Mexico-Texas State line in an easterly direction to its junction with U.S. Highway 54.

(iii) Adjacent parts of Comanche, Erath, and Hamilton Counties bounded by a line beginning at the junction of Farm to Market Road 1702 and State Highway 6 in Erath County; thence, following State Highway 6 in a southeasterly direction to its junction with U.S. Highway 281; thence, following U.S. Highway 281 and State Highway 6 in a southeasterly direction to the town of Hico in Hamilton County; thence, following U.S. Highway 281 in a southwesterly direction to its junction with State Highway 36; thence, following State Highway 36 in a northwesterly direction to its junction with Farm to Market Road 1702; thence, following Farm to Market Road 1702 in a generally northerly direction to its junction with State Highway 6.

(iv) That portion of Waller County bounded by a line beginning at the junction of State Highway 159 and U.S. Highway 290; thence, following U.S. Highway 290 in a southeasterly direction to the Waller-Harris County line; thence, following the Waller-Harris County line in a southeasterly direction to the Waller-Fort Bend County line; thence, following the Waller-Fort Bend County line in a southwesterly direction to the Brazos River; thence, following the east bank of the Brazos River in a generally northerly direction to State Highway 159; thence, following State Highway 159 in a northeasterly direction to its junction with U.S. Highway 290.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210 as amended)

Effective date. The foregoing amendments shall become effective upon issuance.

The amendments quarantine a portion of Waller County in Texas and a portion of Christian County in Illinois and portions of Jones and Lenoir Counties in the State of North Carolina because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined areas designated herein.

The amendments also exclude Tishomingo County in Mississippi, Lincoln County in Missouri, and a portion of Wilson County in North Carolina from the areas heretofore quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded areas, but

will apply to the quarantined areas described above in § 76.2. Further, the restrictions pertaining to the interstate movement from nonquarantined areas contained in said Part 76 will apply to the areas excluded from quarantine.

Insofar as the amendments relieve certain restrictions presently imposed, they must be made effective immediately to be of maximum benefit to affected persons. Insofar as the amendments impose restrictions, they should be made effective without delay in order to protect the livestock of the United States. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedures with respect to the amendments are impracticable, unnecessary and contrary to the public interest, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 16th day of January 1970.

R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 70-849; Filed, Jan. 21, 1970;
8:49 a.m.]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, paragraph (e)(11) relating to the State of Texas is amended to read:

(11) *Texas.* (i) Dallas, Falls, Fayette, Harris, Henderson, Houston, Lee, Nueces, Upshur, and Wilson Counties.

(ii) That portion of El Paso County bounded by a line beginning at the junction of U.S. Highway 54 with the New Mexico-Texas State line; thence, following U.S. Highway 54 in a southwesterly direction to the north bank of the Rio Grande River; thence, following the north bank of the Rio Grande River in a generally northwesterly direction to the New Mexico-Texas State line; thence, following the New Mexico-Texas State line in a generally northerly direction to the northwest corner of El Paso County; thence, following the New Mexico-Texas State line in an easterly direction to its junction with U.S. Highway 54.

(iii) The adjacent parts of Comanche, Erath, and Hamilton Counties bounded by a line beginning at the junction of Farm to Market Road 1702 and State

Highway 6 in Erath County; thence, following State Highway 6 in a southeasterly direction to its junction with U.S. Highway 281; thence, following U.S. Highway 281 and State Highway 6 in a southeasterly direction to the town of Hico in Hamilton County; thence, following U.S. Highway 281 in a southwesterly direction to its junction with State Highway 36; thence, following State Highway 36 in a northwesterly direction to its junction with Farm to Market Road 1702; thence, following Farm to Market Road 1702 in a generally northerly direction to its junction with State Highway 6.

2. In § 76.2, paragraph (e)(16) relating to the State of Arkansas is amended to read:

(16) *Arkansas.* (i) Clay and Randolph Counties.

(ii) That portion of Lawrence County bounded by a line beginning at the junction of U.S. Highway 63 and U.S. Highway 67; thence, following U.S. Highway 67 in a southwesterly direction to the Lawrence-Jackson County line; thence, following the Lawrence-Jackson County line in a westerly direction to the east bank of the Black River; thence, following the east bank of the Black River in a generally northerly direction to U.S. Highway 63, thence, following U.S. Highway 63 in a southeasterly direction to its junction with U.S. Highway 67.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 180, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

Effective date. The foregoing amendments shall become effective upon issuance.

The amendments quarantine a portion of El Paso County in Texas and a portion of Lawrence County in Arkansas because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined areas designated herein.

The amendments impose restrictions which should be made effective without delay in order to protect the livestock of the United States. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 16th day of January 1970.

R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 70-850; Filed, Jan. 21, 1970;
8:50 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Q]

PART 217—INTEREST ON DEPOSITS

Maximum Rate of Interest on Time and Savings Deposits

1. Effective January 16, 1970, § 217.3 (g) is amended to read as follows:

§ 217.3 Maximum rate of interest on time and savings deposits.

(g) *Time deposits of foreign governmental entities and international organizations.* Section 217.7 does not apply to the rate of interest that may be paid by a member bank on a time deposit having a maturity of 2 years or less and representing funds deposited and owned by (1) a foreign national government, or an agency or instrumentality thereof⁵⁰ engaged principally in activities which are ordinarily performed in the United States by governmental entities, (2) an international entity of which the United States is a member, or (3) any other foreign, international, or supranational entity specifically designated by the Board as exempt from § 217.7. All certificates of deposit issued by member banks to such entities on which the contract rate of interest exceeds the maximum prescribed under § 217.7 shall provide that (1) in the event of transfer, the date of transfer, attested to in writing by the transferor, shall appear on the certificate, and (2) the maximum rate limitations of § 217.7 in effect at the date of issuance of the certificate shall apply to the certificate for any period during which it is held by a person other than an entity exempt therefrom under the foregoing sentence.⁵¹ Upon the presentment of such a certificate for payment, the bank may pay the holder the contract rate of interest on the deposit for the time that the certificate was actually owned by an entity so exempt.

2a. The purpose of this amendment is to make clear that only foreign national governments and agencies thereof with national jurisdiction are covered by § 217.3(g)(1).

b. The procedures of section 553(b), title 5, United States Code, with respect to notice, public participation, and deferred effective date were not followed because this amendment is of a clarifying nature implementing the basic purpose underlying the amendments to

⁵⁰ Other than States, provinces, municipalities, or other regional or local governmental units, or agencies or instrumentalities thereof.

⁵¹ A new certificate not maturing prior to the maturity date of the original certificate may be issued by the member bank to the transferee, in which event the original must be retained by the bank. The new certificate may not provide for interest after the date of transfer at a rate in excess of the applicable maximum rate authorized by § 217.7 as of the date of issuance of the original certificate.

§ 217.3(g) adopted effective November 5, 1969. In these circumstances, the Board found such procedures to be contrary to the public interest.

By order of the Board of Governors, January 16, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-836; Filed, Jan. 21, 1970; 8:48 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Order No. 389A; Docket No. R-344]

PART 101—UNIFORM SYSTEM OF ACCOUNTS PRESCRIBED FOR CLASS A AND CLASS B PUBLIC UTILITIES AND LICENSEES

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

PART 201—UNIFORM SYSTEM OF ACCOUNTS FOR NATURAL GAS COMPANIES

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

Supplemental Order Modifying Uniform Systems of Accounts and Annual Report Forms Nos. 1 and 2

JANUARY 14, 1970.

On October 9, 1969, the Commission issued Order No. 389 in this proceeding. By that order the Commission amended certain accounts in its Uniform Systems of Accounts for Class A and Class B Public Utilities and Licensees, and for Class A and Class B Natural Gas Companies, together with certain schedules pertaining to the Statement of Income in the Commission's Annual Report Forms Nos. 1 and 2, prescribed respectively by §§ 141.1 and 260.1 of its Regulations for use by public utilities, licensees and natural gas companies, effective for the reporting year 1970. Certain portions of that order involve inconsistent provisions and provide for the inclusion of matters that should be changed in respect to the amendments to the Commission's Uniform Systems of Accounts and annual report forms set forth therein.

The changes in Account 181, Unamortized Debt Discount and Expense, contained in Attachments A and B to the order direct that gains or losses on disposition of investments and reacquisition and resale or retirement of a utility's debt securities and investments be included in Account 428, Amortization of Debt Discount and Expense, or Account 429, Amortization of Premium on Debt-Cr. Since Accounts 421, Miscellaneous Nonoperating Income and 426.5, Other Deductions, already require that such amounts be placed therein rather than other accounts, these accounts, as

specified in our rulemaking notice, should be substituted for Accounts 428 and 429 contained in Order No. 389.

The number of Account 411.1, Investment Tax Credit Adjustments, was changed to 411.3 in our order. This necessitates a change in the references to that account in Account 255, Accumulated Deferred Investment Tax Credits, and Account 420, Investment Tax Credits, in order to reflect the new account number.

Instruction Number 8 to the Taxes Accrued, Prepaid and Charged During Year schedule on schedule page 222A of FPC Forms Nos. 1 and 2 requires that the accounts to which taxes charged were distributed should be shown in columns (c) to (j) of the schedule instead of columns (i) to (o). Order No. 389 should be corrected by substituting the appropriate columns (i) to (o), on line 2 of that schedule instruction.

The Commission finds:

(1) The revisions of the Commission's Uniform System of Accounts and Annual Report Forms herein prescribed are necessary and appropriate for the administration of the Federal Power and Natural Gas Acts.

(2) Since the amendments to the Commission's Uniform Systems of Accounts prescribed by Order No. 389 issued October 9, 1969, are effective for the year commencing January 1, 1970, and amendments by that order to FPC Forms Nos. 1 and 2 are effective for the reporting year 1970, good cause exists for making these revisions to the Uniform Systems of Accounts and FPC Forms Nos. 1 and 2 also effective January 1, 1970, and for the reporting year commencing January 1, 1970, respectively.

(3) In view of the revisions herein reflecting only minor adjustments to the Commission's Uniform Systems of Accounts and FPC Forms Nos. 1 and 2 as amended by Order No. 389, further notice thereof is unnecessary.

The Commission, acting pursuant to the provisions of the Federal Power Act, as amended, particularly sections 301, 304 and 309 (49 Stat. 854, 855, 858, 16 U.S.C. §§ 825, 825c, 825h) and the provisions of the Natural Gas Act, as amended, particularly sections 8, 10, and 16 thereof (52 Stat. 825, 826, 830, 15 U.S.C. §§ 717g, 717i, and 717o), orders:

(A) Effective for the year commencing January 1, 1970, the Commission's Uniform Systems of Accounts for Class A and Class B Public Utilities and Licensees as prescribed by Part 101, Subchapter C, Chapter I, Title 18, Code of Federal Regulations and the Uniform Systems of Accounts for Class A and Class B Natural Gas Companies, prescribed by Part 201, Subchapter F, Chapter I, Title 18, Code of Federal Regulations, as amended by Order No. 389 issued October 9, 1969, are hereby revised as follows:

1. 181 Unamortized debt discount and expense (prescribed by Part 101, Subchapter C, Chapter I, Title 18, Code of Federal Regulations and by Part 201,

Subchapter F, Chapter I, Title 18, Code of Federal Regulations).

Revise amendments to Account 181 prescribed by Order No. 389 to read as follows:

Paragraph D, lines 12, 13, and 14 and paragraph E, lines 5, 6, and 7: Change "434, Miscellaneous Credits to Surplus, or account 435, Miscellaneous Debits to Surplus" to "421, Miscellaneous Nonoperating Income, or account 426.5, Other Deductions."

Paragraph (E)(2), lines 1 and 2: Change "435, Miscellaneous Debits to Surplus" to "426.5, Other Deductions."

2.255 Accumulated deferred investment tax credits (prescribed by Part 101, Subchapter C, Chapter I, Title 18, Code of Federal Regulations).

Add revision of Account 255 between Accounts 236 and 265 on page 8, Attachment A of Order No. 389 to read as follows:

Paragraph A, line 2 and last line: Change "411.1" to read "411.3."

Paragraph B, line 2: Change "411.1" to read "411.3."

3. 255 Accumulated deferred investment tax credits (prescribed by Part 201, Subchapter F, Chapter I, Title 18, Code of Federal Regulations).

Add revision of Account 255 between Accounts 236 and 265 on page 9, Attachment B of Order No. 389 to read as follows:

Paragraph A, line 10: Change "411.1" to read "411.3."

Paragraph B, line 4: Change "411.1" to read "411.3."

4. 420 Investment Tax Credits (prescribed by Part 201, Subchapter F, Chapter I, Title 18, Code of Federal Regulations).

Add revision of Account 420 between Accounts 419 and 421 on page 22, Attachment B of Order No. 389 to read as follows:

Paragraph (a), line 2: Change "411.1" to read "411.3."

(B) Instruction No. 8 to the Taxes Accrued, Prepaid and Charged During Year schedule on schedule page 222A (contained in Attachment C of Order No. 389) of FPC Form No. 1, Annual Report for Electric Utilities and Licensees, Class A and Class B, prescribed by section 141.1, Subchapter D, Chapter I, Title 18, Code of Federal Regulations, and of FPC Form No. 2, Annual Report for Natural Gas Companies, Class A and Class B, prescribed by section 260.1, Subchapter G, Chapter I, Title 18, Code of Federal Regulations, is revised by changing "columns (c) to (j)" to "columns (i) to (o)" on line 2 thereof. As revised, Instruction No. 8 reads as follows:

8. The accounts to which taxes charged were distributed should be shown in columns (i) to (o). Show both the utility department and number of account charged. For taxes charged to

utility plant show the number of the appropriate balance sheet plant account or subaccount.

(C) The Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-811; Filed, Jan. 21, 1970;
8:46 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER T—OPERATION AND MAINTENANCE

PART 221—OPERATION AND MAINTENANCE CHARGES

Fort Hall Indian Irrigation Project, Idaho

On December 9, 1969, there was published in the daily issue of the FEDERAL REGISTER, Volume 34, No. 235, page 19468, Notice of Intention to amend § 221.32, Subchapter T, Chapter I of the Code of Federal Regulations Title 25. This section deals with the operation and maintenance charges on assessable lands under the Fort Hall Indian Irrigation Project, Fort Hall Indian Reservation, Idaho. Interested persons were thereby given opportunity to participate in preparing the proposed amendment by submitting their views and data or argument in writing to Dale M. Baldwin, Area Director, within 30 days from the date of publication of the notice. No comments, suggestions, or objections have been received and, accordingly § 221.32 of Title 25, Code of Federal Regulations, Chapter I, Bureau of Indian Affairs, Subchapter T, is amended as follows:

§ 221.32 Basic and other water charges.

(a) In compliance with the provisions of the Acts of March 1, 1907 (34 Stat. 1024, and August 31, 1954 (68 Stat. 1026), the annual basic water charges for the operation and maintenance of the lands in non-Indian ownership and Indian-owned lands leased to a non-Indian or a nonmember of the Shoshone-Bannock Tribe of the Fort Hall Indian Reservation, Idaho, to which water can be delivered for irrigation are hereby fixed for the calendar year 1970 and subsequent years until further notice as follows:

	<i>Per acre</i>
(1) Fort Hall Project:	
Basic rate	\$5.50
(2) Michaud Division, Fort Hall Reservation:	
Basic rate	9.00
Additional rate for sprinkler irrigation when pressure is supplied by the project	3.00

(3) Minor Units, Fort Hall Reservation:
Basic rate

Per acre

2.75

(b) In addition to the foregoing charges, there shall be collected a minimum charge of \$5 for the first acre or fraction thereof on each tract of land for which operation and maintenance bills are prepared. The minimum bill issued for any area will, therefore, be the basic rate per acre plus \$5.

DALE M. BALDWIN,
Area Director.

[F.R. Doc. 70-823; Filed, Jan. 21, 1970;
8:47 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 150—ORDERS OF THE COMMODITY EXCHANGE COMMISSION

Limits on Position and Daily Trading in Potatoes for Future Delivery

On October 3, 1969, there was published in the FEDERAL REGISTER (34 F.R. 15419) a notice of proposed amendment of section 150.10 of the orders of the Commodity Exchange Commission promulgated under section 4a of the Commodity Exchange Act, as amended (7 U.S.C. 6a).

Interested persons were given until October 24, 1969, to request an oral hearing or to submit written statements on the proposed amendment. A hearing was not requested. After consideration of all relevant matters presented by interested persons, the amendment as so proposed is hereby adopted without change and is set forth below.

As set forth in the notice of proposed rule making published on October 3, 1969, the purpose of this amendment is to provide for separate speculative limits for the two types of potato contracts, and to provide that the separate limits should each be in the same amount, so as to permit the taking of a limit position, and the making of limit trades, by one person, in each of the two types of potato contracts simultaneously.

The effect of this amendment is to enlarge the permissible amount of trading and size of positions in potatoes by providing separate limits, each in the same amount, for the two types of potato contracts. Accordingly, pursuant to 5

U.S.C. 553, good cause is found for making this amendment effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 4a as amended by Sec. 2-4, 82 Stat. 26, 27; 7 U.S.C. 6a, 1964 Ed., Supp. IV, 1969)

This amendment shall become effective on publication in the FEDERAL REGISTER.

Issued January 19, 1970.

COMMODITY EXCHANGE COMMISSION,
M. L. UPCHURCH,
Chairman designee for the
Secretary of Agriculture.

WILLIAM D. LEE,
Member designee for the
Secretary of Commerce.

JOSEPH J. SAUNDERS,
Member designee for the
Attorney General.

Accordingly, notice is hereby given by the Commodity Exchange Authority that the Commodity Exchange Commission amend § 150.10 by revising the first paragraph thereof, and paragraphs (a) and (b) thereof, to read as follows:

§ 150.10 Limits on position and daily trading in potatoes for future delivery.

The following limits on the amount of trading under contracts of sale of Round White potatoes originating in Maine, and under contracts of sale of Russet Burbank potatoes originating in Idaho, for future delivery on or subject to the rules of any contract market, which may be done by any person, are hereby proclaimed and fixed, to be in full force and effect on and after January 22, 1970.

(a) *Position limit.* The limit on the maximum net long or net short position which any person may hold or control in any one type of potato contract specified in the first paragraph of this section, on or subject to the rules of any one contract market, is 300 carlots in any one future and 350 carlots in all futures combined: *Provided*, That no person may hold or control a net long or net short position in any one such type of contract in excess of (1) 150 carlots in the March potato future, (2) 150 carlots in the April potato future, or (3) 150 carlots in the May potato future.

(b) *Daily trading limit.* The limit on the maximum amount of potatoes under any one type of contract specified in the first paragraph of this section, which any person may buy, and on the maximum amount of potatoes under any one such type of contract which any person may sell, on or subject to the rules of any

one contract market during any one business day is 300 carlots in any one future and 350 carlots in all futures combined: *Provided*, That no person may buy or sell during any one business day in any one such type of contract more than (1) 150 carlots in the March potato future, (2) 150 carlots in the April potato future, or (3) 150 carlots in the May potato future.

[F.R. Doc. 70-809; Filed, Jan. 21, 1970; 8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 70-28]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Transportation of Passengers Between U.S. Ports on Foreign Vessels

JANUARY 12, 1970.

Section 4.80a(a)(2), Customs Regulations, authorizes a district director of customs to extend from 24 to 48 hours the time a foreign vessel may stay in a coastwise port in his district without being deemed to have landed passengers taken on board at another coastwise port, if he is satisfied that the vessel is unable to depart sooner for reasons connected with the loading or unloading of cargo or the safety or safe navigation of the vessel. Experience indicates that the Bureau can accept local determinations that a vessel is unable to depart for such reasons and that the period for which the district director of customs concerned may grant extensions should be increased to 96 hours. For that purpose, § 4.80a(a)(2) of the Customs Regulations is amended to read as follows:

§ 4.80a Passengers on foreign vessels taken on board and landed in the United States.

(a) * * *

(2) The passenger goes ashore, even temporarily, at another coastwise port on a voyage to one or more coastwise ports but touching at a nearby foreign port or ports (but at no other foreign port) if during the course of the voyage the vessel remains in the coastwise port (not including the port of embarkation) for more than 24 hours, without regard to whether the passenger ultimately severs his connection with the vessel at the port at which he embarked. This period may be extended by the district director of customs concerned to 96 hours or by the Commissioner of Customs for a

longer period if the district director or the Commissioner is satisfied that the vessel will be unable to depart within the permitted period for reasons connected with the loading or unloading of cargo or the safety or safe navigation of the vessel.

(80 Stat. 379, R.S. 251; 5 U.S.C. 301, 19 U.S.C. 66)

Effective date: This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

Approved: January 12, 1970.

EUGENE T. ROSSIDES,
*Assistant Secretary
of the Treasury.*

[F.R. Doc. 70-852; Filed, Jan. 21, 1970; 8:50 a.m.]

[T.D. 70-31]

PART 12—SPECIAL CLASSES OF MERCHANDISE

Importation of Electronic Products

The Department of Health, Education, and Welfare has promulgated regulations under the Radiation Control for Health and Safety Act of 1968 (42 U.S.C. 263b et seq.) in 42 CFR Part 78. These regulations are applicable to electronic products subject to performance standards prescribed by the Secretary of Health, Education, and Welfare pursuant to section 358 of the Act (42 U.S.C. 263f) to control the emission of radiation from such products. The regulations in accordance with section 360 of the Act (42 U.S.C. 263h) provide for the application of these standards to electronic products offered for importation into the United States.

The following regulations prescribe customs procedures governing the admission or refusal of electronic products subject to standards promulgated by the Secretary of Health, Education, and Welfare under the Radiation Control for Health and Safety Act of 1968 and the regulations prescribed thereunder in 42 CFR, Part 78.

Part 12 is amended to add a new centerhead and sections as follows:

ELECTRONIC PRODUCTS

§ 12.90 Definitions.

As used in sections 12.90 and 12.91—the term “the Act” shall mean the Radiation Control for Health and Safety Act of 1968 (42 U.S.C. 263b et seq.), as amended from time to time.

§ 12.91 Electronic products offered for importation under the Act.

(a) *Standards prescribed by the Department of Health, Education, and Welfare.* Electronic products offered for

importation into the customs territory of the United States are subject to standards prescribed under section 358 of the Act (42 U.S.C. 263f). See 42 CFR, Part 78.

(b) *Requirements for entry and release.* Electronic products subject to standards in effect under section 358 of the Act (42 U.S.C. 263f) when offered for importation into the customs territory of the United States shall be refused entry unless there is filed with the entry, in duplicate, a declaration verified by the importer or consignee which identifies the product and affirms:

(1) That the electronic products comply with all standards in effect under section 358 of the Act (42 U.S.C. 263f) and that the certification required by section 360 of the Act (42 U.S.C. 263h) in the form of a label or tag are attached thereto; or

(2) That the certification required by section 360 of the Act is not affixed to the electronic product but that a timely and adequate petition for permission to bring the product into compliance with applicable standards has been or will be filed with the Secretary of Health, Education, and Welfare in accordance with 42 CFR 78.607. The duplicate copy of the declaration filed under this paragraph shall be forwarded by the district director of customs directly to the Secretary of Health, Education, and Welfare or his designee.

(c) *Notice of sampling.* When a sample of a product offered for importation has been requested by the Secretary of Health, Education, and Welfare as provided for in 42 CFR 78.604, the district director of customs having jurisdiction over the shipment from which the sample is procured shall give to its owner or consignee prompt notice of delivery of, or intention to deliver, such sample. If the notice so requires, the owner or consignee shall hold the shipment of which the sample is typical and not release such shipment until notice of the results of the tests of the sample from the Secretary of Health, Education, and Welfare stating the product fulfills the requirements of the Act.

(d) *Release under bond.* If a declaration filed in accordance with paragraph (b) of this section states that the entry is being made under circumstances described in subparagraph (2) of paragraph (b) of this section, the entry shall be accepted only if the importer or consignee gives a bond on customs Form 7551, 7553, or 7595 for the production of a notification from the Secretary of Health, Education, and Welfare or his designee, in accordance with 42 CFR 78.604, that the electronic product described in the declaration filed by the importer or consignee is in compliance with the applicable standards. The bond shall be in the amount required under § 25.4(a) of this chapter. Within 90 days after such entry, or such additional period as the district director of customs

may allow for good cause shown, the importer or consignee shall take any action necessary to insure delivery to the district director of the notification described in this paragraph. If the notification described in this paragraph is not delivered to the district director of customs for the port of entry of such electronic products within 90 days of the date of entry or such additional period as may be allowed by the district director, for good cause shown, the importer or consignee shall deliver or cause to be delivered to the district director of customs those electronic products which were released in accordance with this paragraph. In the event that any such electronic products are not redelivered within 5 days following the date specified in the preceding sentence, liquidated damages shall be assessed in the full amount of a bond given on Form 7551. When the transaction has been charged against a bond given on Form 7553 or 7595, liquidated damages shall be assessed in the amount that would have been demanded under the preceding sentence if the merchandise had been released under a bond given on Form 7551.

(e) *Merchandise refused entry.* If electronic products are denied entry under any provision of this section, the district director of customs shall refuse to release the merchandise for entry into the United States.

(f) *Disposition of merchandise refused entry into the United States; redelivered merchandise.* Electronic products which are denied entry under paragraph (b) of this section or which are redelivered in accordance with paragraph (d) of this section and which are not exported under customs supervision within 90 days from the date of notice of refusal of admission or date of redelivery shall be disposed of under customs laws and regulations; *Provided, however,* That any such disposition shall not result in an introduction into the United States of an electronic product in violation of the Act. (Sec. 358, 82 Stat. 1177, sec. 360, 82 Stat. 1181; 42 U.S.C. 263f, 263h.)

(E.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

The regulations set forth herein will conform customs procedures to regulations issued by the Secretary of Health, Education, and Welfare for the administration and enforcement of the Radiation Control for Health and Safety Act of 1968 in 42 CFR, Part 78, Subpart G, which will be effective upon publication in the FEDERAL REGISTER. It is found therefore that notice and public procedure under 5 U.S.C. 553 in the promulgation of these regulations is impracticable and good cause is found for making them effective upon the date of publication in the FEDERAL REGISTER.

[SEAL] MYLES J. AMBROSE,
Commissioner of Customs.

Approved: January 12, 1970.

EUGENE T. ROSSIDES,
Assistant Secretary of the
Treasury.

[F.R. Doc. 70-853; Filed, Jan. 21, 1970; 8:50 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 27—CANNED FRUITS AND FRUIT JUICES

Canned Grapefruit; Confirmation of Effective Date of Order Establishing Standards of Identity, Quality, and Fill of Container

In the matter of establishing definitions and standards of identity, quality, and fill of container for canned grapefruit:

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of November 22, 1969 (34 F.R. 18598). Accordingly, the standards established thereby (21 CFR 27.90, 27.91, and 27.92) will become effective March 22, 1970.

Dated: January 14, 1970.

SAM D. FINE,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-819; Filed, Jan. 21, 1970; 8:46 a.m.]

PART 53—TOMATO PRODUCTS

Tomato Puree and Tomato Paste, Identity Standards; Confirmation of Effective Date of Order Re Measurement of Tomato Soluble Solids

In the matter of amending the standards of identity for tomato puree (§ 53.20) and tomato paste (§ 53.30) to provide for measurement of tomato soluble solids by refractometer instead of determining salt-free tomato solids by the vacuum oven drying method:

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of November 19, 1969 (34 F.R. 18420). Accordingly, the amendments promulgated thereby will become effective January 18, 1970.

Dated: January 14, 1970.

SAM D. FINE,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-820; Filed, Jan. 21, 1970; 8:47 a.m.]

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

BHC; Lindane

No comments and no requests for referral to an advisory committee were received in response to the notice published in the FEDERAL REGISTER of November 6, 1969 (34 F.R. 17962), in which the Commissioner of Food and Drugs proposed for reasons given that the tolerances for the insecticides BHC (§ 120.140) and lindane (§ 120.133) be revised. The Commissioner concludes that the proposal should be adopted.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (e), (m), 68 Stat. 514, 517; 21 U.S.C. 346a (e), (m)) and under authority delegated to the Commissioner (21 CFR 2.120), §§ 120.133 and 120.140 are revised to read as follows:

§ 120.133 Lindane; tolerances for residues.

Tolerances are established for residues of the insecticide lindane (gamma isomer of benzene hexachloride) in or on raw agricultural commodities as follows:

7 parts per million in or on the fat of meat from cattle, goats, horses, and sheep.

4 parts per million in or on the fat of meat from hogs.

3 parts per million in or on cucumbers, lettuce, melons, mushrooms, pumpkins, squash, summer squash, and tomatoes.

1 part per million in or on apples, apricots, asparagus, avocados, broccoli, brussels sprouts, cabbage, cauliflower, celery, cherries, collards, eggplants, grapes, guavas, kale, kohlrabi, mangoes, mustard greens, nectarines, okra, onions (dry bulb only), peaches, pears, peppers, pineapples, plums (fresh prunes), quinces, spinach, strawberries, and Swiss chard.

§ 120.140 BHC; tolerances for residues.

Tolerances are established for residues of the insecticide BHC (benzene hexachloride) in or on the raw agricultural commodities apples, apricots, asparagus, avocados, broccoli, brussels sprouts, cabbage, cauliflower, celery, cherries, collards, cucumbers, eggplants, grapes, kale, kohlrabi, lettuce, melons, mustard greens, nectarines, okra, onions (dry bulb only), peaches, pears, peppers, plums (fresh prunes), pumpkins, spinach, strawberries, squash, summer squash, Swiss chard, and tomatoes at 1 part per million.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity

the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408 (e), (m), 68 Stat. 514, 517; 21 U.S.C. 346a (e), (m))

Dated: January 14, 1970.

SAM D. FINE,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-821; Filed, Jan. 21, 1970;
8:47 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order No. 424-70]

PART 21—WITNESS FEES

Travel Expenses and Subsistence of Federal Officers and Employees Summoned as Witnesses for the Government

By virtue of the authority vested in me by section 1823(a) of title 28 of the United States Code, section 30 of the Act of June 6, 1900, 31 Stat. 332, and section 23(c) of the Alaska Omnibus Act, 73 Stat. 147, § 21.1 of Chapter I of Title 28 of the Code of Federal Regulations is revised to read as follows:

§ 21.1 Officers and employees of the United States summoned as witnesses.

Officers and employees of the United States summoned as witnesses for the Government in cases before U.S. courts (including such courts in the possessions of the United States) or U.S. magistrates shall be entitled (a) to necessary expenses incident to travel by common carrier, or, if travel is made by privately owned automobile, to mileage at the rate of 10 cents a mile, and (b) to a per diem allowance in lieu of subsistence at a rate of \$25 within the continental United States (the area of the former 48 States and the District of Columbia), and at the maximum rates prescribed by the President or his delegate pursuant to 5 U.S.C. 5702, outside the continental United States. Such allowances shall be paid in accordance with the provisions of the Standardized Government Travel Regulations.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Order No. 252-61 of October 27, 1961 is hereby superseded.

Dated: January 12, 1970.

JOHN N. MITCHELL,
Attorney General.

[F.R. Doc. 70-824; Filed, Jan. 21, 1970;
8:47 a.m.]

Title 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 4—LABOR STANDARDS FOR FEDERAL SERVICE CONTRACTS

Updating of References

Pursuant to section 4(a) of the Service Contract Act of 1965 (41 U.S.C. 353(a)) Part 4 of Title 29 of the Code of Federal Regulations is hereby amended changing § 4.6 to reflect changes in the addresses of some of the regional offices of the Bureau of Labor Standards and to indicate that the name of the "United States of America Standards Institute" is changed to the "American National Standards Institute, Incorporated."

No notice and public procedure is provided because the changes relate to public contracts and thus are within the exemption provided in 5 U.S.C. 553(a) (2), and further, such notice and procedure is considered unnecessary because the changes are minor involving clerical corrections. The changes shall be effective immediately. No delay in effective date is provided because no substantive changes are involved.

Section 4.6 is amended to read as follows:

§ 4.6 Labor standards clauses for Federal service contracts exceeding \$2,500.

(f) The contractor or subcontractor shall not permit any part of the services called for by this contract to be performed in buildings or surroundings or under working conditions provided by or under the control or supervision of the contractor or subcontractor which are unsanitary or hazardous or dangerous to the health or safety of service employees engaged to furnish these services. Except insofar as a noncompliance can be justified as provided in § 1516.1(c) of this title, this will require compliance with the applicable standards, specifications, and codes developed and published by the U.S. Department of Labor, any other agency of the United States, and any nationally recognized professional organization such as, without limitation, the following:

National Bureau of Standards, U.S. Department of Commerce.
Public Health Service, U.S. Department of Health, Education, and Welfare.
Bureau of Mines, U.S. Department of the Interior.
American National Standards Institute, Inc. (United States of America Standards Institute).
National Fire Protection Association.
American Society of Mechanical Engineers.
American Society for Testing and Materials.
American Conference of Governmental Industrial Hygienists.

Information as to the latest standards, specifications, and codes applicable to the contract is available at the office of the Director of the Bureau of Labor Standards, U.S. Department of Labor, Railway Labor Building, 400 First Street NW., Washington, D.C. 20212, or at any

of the regional offices of the Bureau of Labor Standards as follows:

1. North Atlantic Region, 341 Ninth Avenue, Room 920, New York, N.Y. 10001 (Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont, New Jersey, and Puerto Rico).

2. Middle Atlantic Region, Room 410, Penn Square Building, Juniper and Filbert Streets, Philadelphia, Pa. 19107 (Delaware, District of Columbia, Maryland, North Carolina, Pennsylvania, Virginia, and West Virginia).

3. South Atlantic Region, 1371 Peachtree Street NE., Suite 723, Atlanta, Ga. 30309 (Alabama, Florida, Georgia, Mississippi, South Carolina, and Tennessee).

4. Great Lake Region, 848 Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604 (Illinois, Indiana, Kentucky, Michigan, Minnesota, Ohio, and Wisconsin).

5. Mid-Western Region, 1906 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106 (Colorado, Idaho, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming).

6. Western Gulf Region, 411 North Akard Street, Room 601, Dallas, Tex. 75201 (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas).

7. Pacific Region, 10353 Federal Building, 450 Golden Gate Avenue, Box 36017, San Francisco, Calif. 94102 (Alaska, Arizona, California, Hawaii, Nevada, Oregon, Washington, and Guam).

(Sec. 4(a), 79 Stat. 1035, 41 U.S.C. 353(a))

Signed at Washington, D.C. this 15th day of January, 1970.

GEORGE P. SHULTZ,
Secretary of Labor.

[F.R. Doc. 70-827; Filed, Jan. 21, 1970;
8:47 a.m.]

Chapter V—Wage and Hour Division, Department of Labor

PART 541—DEFINING AND DELIMITING THE TERMS "ANY EMPLOYEE EMPLOYED IN A BONA FIDE EXECUTIVE, ADMINISTRATIVE, OR PROFESSIONAL CAPACITY (INCLUDING ANY EMPLOYEE EMPLOYED IN THE CAPACITY OF ACADEMIC ADMINISTRATIVE PERSONNEL OR TEACHER IN ELEMENTARY OR SECONDARY SCHOOLS), OR IN THE CAPACITY OF OUTSIDE SALESMAN"

Executive, Administrative, and Professional Exemptions

On June 27, 1969, there was published in the FEDERAL REGISTER (34 F.R. 9934) a notice of proposed rule making to increase the minimum salary requirements for the exemption of bona fide executive, administrative, and professional employees from the minimum wage and overtime provisions of the Fair Labor Standards Act of 1938. Interested persons were given opportunity to present relevant data, views, and arguments both orally and in writing.

The basic position expressed by most employers was that the present salary levels not be increased. Others proposed that the salary tests be eliminated as a prerequisite to the exemption, while others proposed that differential rates be

set on geographical bases. Those employer groups which represented a substantial number of enterprises newly covered by the 1966 amendments maintained that any increases in the salary tests should be accomplished in several steps over varying periods of time. There was also a recommendation that the percentage of any increase be limited to the percentage increase in the Consumer Price Index since the time of the last adjustment of the salary tests. Many organizations and individuals opposed our proposals on the basis that they would be inflationary.

The employee representatives who testified all agreed that an increase in the salary requirements is in order. However, they felt that the proposed increases were not sufficient. Generally, they suggested a range of \$150 to \$170 per week for bona fide executive and administrative employees and a range of \$175 to \$195 per week for bona fide professional employees. They also felt that the salary tests for certain higher paid employees should be between \$225 and \$260 per week. One union representative recommended an automatic salary review provision geared to the National Survey of Professional, Administrative, Technical, and Clerical Pay which is undertaken annually by the Bureau of Labor Statistics, stating that such a provision would eliminate the lengthy periods which normally occur between revisions of the salary tests, and would keep the salaries current and meaningful.

In regard to the proposal to eliminate the salary tests, the validity of these tests has been fully explored. The arguments that the salary tests are unnecessary are not supported by the Divisions' experience. There has been no indication that the salary tests have resulted in defeating the exemption for any substantial number of individuals who could reasonably be classified for the purposes of the Act as bona fide executive, administrative, or professional employees. The legal validity of the salary tests has been sustained in a number of court decisions.

In regard to the proposal that a multiplicity of salary tests be established to reflect the differentials in wages and salaries paid in various geographical areas of the United States, it should be noted that the salary tests as proposed had already taken geographical variations in salary levels into consideration. I elected, as in the past, to propose salaries which are not geared to high wage areas (such as the Northeast and West) but which take into consideration the lower wage nonmetropolitan areas of the South. For example, of the lowest paid executive employees who were determined to be exempt in establishments investigated by the Divisions between May and October 1968 for all regions in the United States, 20 percent received less than \$130 per week, whereas only 12 percent of such executive employees in the West and 14 percent in the Northeast received salaries of less than \$130 per week (see Table 13 on page 30 of our Earnings Data Report). It is readily apparent, therefore, that variations in regional salary levels have

been considered. In addition, there is no evidence in the record, nor in the Divisions' experience that the uniform salary tests which have been successfully applied for 30 years have adversely affected the application of the section 13(a)(1) exemption. No useful purpose would be served by fragmenting these standards.

The proposal to institute a provision calling for an annual review and adjustment of the salary tests based on the previously referred to Bureau of Labor Statistics' survey appears to have some merit, particularly since past practice has indicated that approximately 7 years elapse between amendment of these salary requirements. I have concluded, however, that such a proposal will require further study.

The arguments presented by certain employer representatives that any increase in the salary tests would be inflationary have been carefully considered. The proposal to increase the salary levels recognizes that inflation has already taken place, and is merely an attempt to make the salary tests meaningful in light of present economic conditions. The Bureau of Labor Statistics' publication *Employment and Earnings* published in October 1969, shows that the average wages of nonsupervisory employees in nonagricultural occupations has increased from an average of \$88.40 per week in the year 1963 (the year of the last increase in the salary tests) to \$117.80 per week in the month of September 1969, or an increase of 30.9 percent. Very significant evidence that the current salary tests are no longer meaningful is the finding that in one out of every five establishments the lowest paid exempt executives for whom data were collected during the May 1-October 31, 1968, period actually earned less than the highest paid nonexempt worker whom he supervised, and that one out of every three executives earning less than \$125 per week received less than a worker whom he supervised. This indicates that the salary test at its present level is not performing its intended function. Since the enactment of the Act, the salary paid to an employee assertedly employed in a bona fide executive, administrative, or professional capacity has been recognized by the hearing officers considering amendments to the regulations as one of the most meaningful criteria for determining the bona fides of the employment of the employee in such a capacity. See the Reports and Recommendations of the Presiding Officer, October 1940, pp. 19 et seq.; June 1949, pp. 24 et seq.; March 1958, 28 F.R. 7003 et seq. As pointed out in the 1940 Report, employment in such a capacity implies a certain prestige, status, and importance, and employees who qualify under the definitions are denied the protection of the Act and must accordingly be assumed to enjoy compensatory privileges—an assumption which must clearly fail unless there is an adequate differentiation between the salary normally earned by a nonexempt worker for a standard workweek and that paid the employee for whom exemption is

claimed on the ground that he is performing bona fide executive, administrative, or professional functions.

The 1969 earnings data report further indicates that only 5 percent of the lowest paid executive employees determined to be exempt had weekly salaries as low as \$100. The same report shows that only 3 percent of the lowest paid administrative employees who were determined to be exempt had weekly salaries as low as \$100, and that 5 percent of such professional employees had weekly salaries below \$120 per week. In light of such statistics, it is evident that a failure to increase the salary tests would render them meaningless with respect to all but a relatively few of the employees to whom these regulations apply. As stated in the 1958 Report, the primary objective of the salary test is the drawing of a line separating bona fide executive, administrative, and professional employees from such employees as working foremen and production workers, technicians, clerical workers, and subprofessional employees. If the salary tests are to serve this purpose in a situation where salaries and wages have risen, it is inevitable, as the hearing officer stated in this report, that some employees who have been classified as exempt under the existing salary tests will no longer be within the exemption under any new tests adopted. As then pointed out, the higher salary test should eliminate from the exemption such employees as those whose status in management or the professions is questionable in view of their low salaries, as well as employees whose exempt status, on the basis of their duties and responsibilities, is questionable. The salary test must be set at a level high enough to do this if it is to be effective generally in reflecting the bona fide status of employees as executive, administrative, and professional personnel.

Most union representatives pointed out in their arguments in favor of even higher salary tests than those proposed, that the Wage and Hour and Public Contracts Divisions' earnings data report upon which the proposed salary tests are based contains data only for a portion of calendar year 1968 and earlier, and that such data have not been adjusted to reflect wage increases which are acknowledged to have occurred within the past year. I recognize the validity of their testimony in that respect. However, a salary increase of the magnitude which they have proposed would in my judgment cause the loss of the exemption to a substantial number of employees who were intended by Congress to be exempted.

Finding: After analyzing all available data, views, argument, and testimony received on this matter, I have partially amended my original proposals published in the FEDERAL REGISTER on June 27, 1969, by lowering the minimum salary tests and by creating a separate category with different salary tests for those affected employees brought within coverage of the Fair Labor Standards Act for the first time by the 1966 amendments.

Except as stated below, the minimum salary tests in the United States will be

increased, effective 30 days after publication of this document in the FEDERAL REGISTER, as follows: \$125 per week for executive and administrative employees; \$140 per week for professional employees; and \$200 per week in the case of the special proviso for higher paid employees. I recognize that an "upset" salary test of \$200 per week will reflect a slightly higher percentage differential than now exists between the basic and upset salary figures. The higher salary proviso is not, however, a basic exemption requirement but is merely an alternative under which less emphasis is given to the employees duties and responsibilities. Therefore, in order that such a higher figure continue to be meaningful I feel that it should more nearly reflect current salary levels.

I also feel that there is evidence to support the contention of several employer representatives that any increase in the salary tests should consider the special problem of establishments which employ those executive, administrative, and professional employees brought within the coverage of the Fair Labor Standards Act for the first time by the 1966 amendments. Therefore, beginning 30 days after publication of this document in the FEDERAL REGISTER the minimum salary level for an executive or administrative employee who was brought within the purview of the Fair Labor Standards Act by the 1966 amendments will be increased to \$115 per week, and beginning February 1, 1971, to \$125 per week, and the minimum salary level for a professional employee brought within the purview of the Fair Labor Standards Act by the 1966 amendments will be increased to \$130 per week beginning 30 days after such publication, and to \$140 per week beginning February 1, 1971. A similar two step increase for such "newly covered" employees will also be included under the special proviso for higher paid employees in all three categories. This "upset" salary test will be increased to \$175 per week beginning 30 days after publication of this document in the FEDERAL REGISTER, and to \$200 per week beginning February 1, 1971.

Puerto Rico, Virgin Islands, and American Samoa:

Subsequent to publication of the proposal in the FEDERAL REGISTER on June 27, 1969, the Commonwealth of Puerto Rico issued its Regulation Number 13, pursuant to section 33(b) of the Minimum Wage Act of Puerto Rico, setting minimum salary levels for administrative, executive, and professional employees. This Regulation became effective on August 4, 1969.

Since the basic salary levels in that Regulation either equal or exceed those contained in my original proposal, I have decided that the experience of the Puerto Rican government should be relied on. Therefore, effective 30 days after publication of this document in the FEDERAL REGISTER, the following minimum salary levels will be adopted as set forth in Puerto Rican Regulation Number 13: Executive employees, \$115 per week; administrative employees, \$100 per week; and professional employees, \$125 per

week. I am also adopting the Puerto Rican special high salary or "upset" provision of \$150 per week for all three categories of employees. It should be noted that the Commonwealth regulation makes no provision for preferential treatment of enterprises or employees brought within the purview of the Fair Labor Standards Act by the 1966 amendments. Therefore, the 2-step increase previously stipulated for such enterprises or employees will not apply in Puerto Rico.

I further conclude that the past practice of adopting the Puerto Rican salary levels for the Virgin Islands and American Samoa shall be continued. Accordingly, after consideration of all matter presented, and pursuant to section 13(a)(1) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 213(a)(1)), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and Secretary's Order 17-68 (33 F.R. 15776) and Order 2-69 (34 F.R. 1203), I hereby amend 29 CFR Part 541 as follows:

1. In § 541.1, paragraph (f) is revised to read as follows:

§ 541.1 Executive.

(f) Who (except as otherwise provided in § 541.5b) is compensated for his services on a salary basis at a rate of not less than \$125 per week (or \$115 per week, if employed in Puerto Rico, the Virgin Islands, or American Samoa), exclusive of board, lodging, or other facilities: *Provided*, That an employee who (except as otherwise provided in § 541.5b) is compensated on a salary basis at a rate of not less than \$200 per week (or \$150 per week, if employed in Puerto Rico, the Virgin Islands, or American Samoa), exclusive of board, lodging, or other facilities, and whose primary duty consists of the management of the enterprise in which he is employed or of a customarily recognized department or subdivision thereof, and includes the customary and regular direction of the work of two or more other employees therein, shall be deemed to meet all of the requirements of this section.

2. In § 541.2, paragraph (e) is revised to read as follows:

§ 541.2 Administrative.

(e) (1) Who (except as otherwise provided in § 541.5b) is compensated for his services on a salary or fee basis at a rate of not less than \$125 per week (or \$100 per week, if employed in Puerto Rico, the Virgin Islands, or American Samoa), exclusive of board, lodging, or other facilities, or

(2) Who, in the case of academic administrative personnel, is compensated for his services as required by subparagraph (1) of this paragraph, or on a salary basis which is at least equal to the entrance salary for teachers in the school system, educational establishment, or institution by which he is employed:

Provided, That an employee who (except as otherwise provided in § 541.5b) is compensated on a salary or fee basis

at a rate of not less than \$200 per week (or \$150 per week, if employed in Puerto Rico, the Virgin Islands, or American Samoa), exclusive of board, lodging, or other facilities, and whose primary duty consists of the performance of work described in paragraph (a) of this section, which includes work requiring the exercise of discretion and independent judgment, shall be deemed to meet all of the requirements of this section.

3. In § 541.3, paragraph (e) is revised to read as follows:

§ 541.3 Professional.

(e) Who (except as otherwise provided in § 541.5b) is compensated for his services on a salary or fee basis at a rate of not less than \$140 per week (or \$125 per week, if employed in Puerto Rico, the Virgin Islands, or American Samoa), exclusive of board, lodging, or other facilities: *Provided*, That this paragraph shall not apply in the case of an employee who is the holder of a valid license or certificate permitting the practice of law or medicine or any of their branches and who is actually engaged in the practice thereof, nor in the case of an employee who is the holder of the requisite academic degree for the general practice of medicine and is engaged in an internship or resident program pursuant to the practice of medicine or any of its branches, nor in the case of an employee employed and engaged as a teacher as provided in paragraph (a)(3) of this section; and *Provided further*, That an employee who (except as otherwise provided in § 541.5b) is compensated on a salary or fee basis at a rate of not less than \$200 per week (or \$150 per week, if employed in Puerto Rico, the Virgin Islands, or American Samoa), exclusive of board, lodging, or other facilities, and whose primary duty consists of the performance either of work described in paragraph (a)(1) or (3) of this section, which includes work requiring the consistent exercise of discretion and judgment, or of work requiring invention, imagination, or talent in a recognized field of artistic endeavor, shall be deemed to meet all of the requirements of this section.

4. A new § 541.5b is added to read as follows:

§ 541.5b Salary tests for executive, administrative, and professional employees brought within the Act by the 1966 Amendments.

The salary tests in §§ 541.1(f), 541.2(e)(1), and 541.3(e) for executive, administrative, and professional employees employed in any place within coverage of the Act, other than Puerto Rico, the Virgin Islands, and American Samoa, shall not apply to such employees who are brought within the purview of the Act by the Fair Labor Standards Amendments of 1966, until February 1, 1971. For the period up to February 1, 1971, the salary tests for the purpose of those sections, shall be not less than \$115 per week for such executive and administrative employees, and not less than \$130 per week

for such professional employees. For all such employees the salary tests for the purpose of the provisos in §§ 541.1(f) and 541.2(e), and of the final proviso in § 541.3(e) shall be not less than \$175 per week.

5. Section 541.100 is revoked.

§ 541.100 [Revoked]

6. In § 541.117, paragraphs (a) and (b) are revised to read as follows:

§ 541.117 Amount of salary required.

(a) Except as otherwise noted in paragraph (b) of this section, compensation on a salary basis at a rate of not less than \$125 per week, exclusive of board, lodging, or other facilities, is required for exemption as an executive. The \$125 a week may be translated into equivalent amounts for periods longer than 1 week. The requirement will be met if the employee is compensated biweekly on a salary basis of \$250, semi-monthly on a salary basis of \$270.83 or monthly on a salary basis of \$541.66. In the case of an employee who is brought within the purview of the Act by the Fair Labor Standards Amendments of 1966, the salary rate until February 1, 1971, is \$115 per week. This requirement will be met if the employee is compensated on a salary basis of \$230 biweekly, \$249.17 semi-monthly, or \$498.33 monthly. However, the shortest period of payment which will meet the requirement of payment "on a salary basis" is a week.

(b) In Puerto Rico, the Virgin Islands, and American Samoa, the salary test for exemption as an "executive" is \$115 per week.

7. In § 541.118, paragraph (b) is revised to read as follows:

§ 541.118 Salary basis.

(b) *Minimum guarantee plus extras.* It should be noted that the salary may consist of a predetermined amount constituting all or part of the employee's compensation. In other words, additional compensation besides the salary is not inconsistent with the salary basis of payment. The requirement will be met, for example, by a branch manager who receives a salary of \$125 or more per week (\$115 per week, until Feb. 1, 1971, if brought within the purview of the Act by the Fair Labor Standards Amendments of 1966) and, in addition, a commission of 1 percent of the branch sales. The requirement will also be met by a branch manager who receives a percentage of the sales or profits of his branch, if the employment arrangement also includes a guarantee of at least the minimum weekly salary (or the equivalent for a monthly or other period) required by the regulations. Another type of situation in which the requirement will be met is that of an employee paid on a daily or shift basis, if the employment arrangement includes a provision that he will receive not less than the amount specified in the regulations in any week in which he performs any work. Such arrangements are subject to the excep-

tions in paragraph (a) of this section. The test of payment on a salary basis will not be met, however, if the salary is divided into two parts for the purpose of circumventing the requirement of payment "on a salary basis". For example, a salary of \$175 a week may not arbitrarily be divided into a guaranteed minimum of \$125 paid in each week in which any work is performed, and an additional \$50 which is made subject to deductions which are not permitted under paragraph (a) of this section.

8. Section 541.119 is revised to read as follows:

§ 541.119 Special proviso for high salaried executives.

(a) Except as otherwise noted in paragraph (b) of this section, § 541.1 contains a special proviso for managerial employees who are compensated on a salary basis at a rate of not less than \$200 per week (or \$175 per week, until Feb. 1, 1971, in the case of an employee brought within the purview of the Act by the Fair Labor Standards Amendments of 1966) exclusive of board, lodging, or other facilities. Such a highly paid employee is deemed to meet all the requirements in paragraphs (a) through (f) of § 541.1 if his primary duty consists of the management of the enterprise in which he is employed or of a customarily recognized department or subdivision thereof and includes the customary and regular direction of the work of two or more other employees therein. If an employee qualifies for exemption under this proviso, it is not necessary to test his qualifications in detail under paragraphs (a) through (f) of § 541.1.

(b) In Puerto Rico, the Virgin Islands, and American Samoa, the proviso of § 541.1(f) applies to those managerial employees who are compensated on a salary basis at a rate of not less than \$150 per week.

(c) Mechanics, carpenters, linotype operators, or craftsmen of other kinds are not exempt under the proviso no matter how highly paid they might be.

9. Section 541.200 is revoked.

§ 541.200 [Revoked]

10. In § 541.211, paragraphs (a), (b), and (d) are revised to read as follows:

§ 541.211 Amount of salary or fees required.

(a) Except as otherwise noted in paragraphs (b) and (c) of this section, compensation on a salary or fee basis at a rate of not less than \$125 a week, exclusive of board, lodging, or other facilities, is required for exemption as an "administrative" employee. The requirement will be met if the employee is compensated biweekly on a salary basis of \$250, semi-monthly on a salary basis of \$270.83, or monthly on a salary basis of \$541.66. In the case of an employee who is brought within the purview of the Act by the Fair Labor Standards Amendments of 1966, the salary rate, until February 1, 1971, is \$115 per week. This

requirement will be met if the employee is compensated on a salary basis of \$230 biweekly, \$249.17 semi-monthly, or \$498.33 monthly.

(b) In Puerto Rico, the Virgin Islands, and American Samoa, the salary test for exemption as an "administrative" employee is \$100 per week.

(d) The payment of the required salary must be exclusive of board, lodging, or other facilities; that is, free and clear. On the other hand, the regulations in Subpart A of this part do not prohibit the sale of such facilities to administrative employees on a cash basis if they are negotiated in the same manner as similar transactions with other persons.

11. Section 541.214 is revised to read as follows:

§ 541.214 Special proviso for high salaried administrative employees.

(a) Except as otherwise noted in paragraph (b) of this section, § 541.2 contains a special proviso including within the definition of "administrative" an employee who is compensated on a salary or fee basis at a rate of not less than \$200 per week (or \$175 per week, until Feb. 1, 1971, in the case of an employee who is brought within the purview of the Act by the Fair Labor Standards Amendments of 1966) exclusive of board, lodging, or other facilities, and whose primary duty consists of either the performance of office or nonmanual work directly related to management policies or general business operations of his employer or his employer's customers, or the performance of functions in the administration of a school system, or educational establishment or institution, or of a department or subdivision thereof, in work directly related to the academic instruction or training carried on therein, where the performance of such primary duty includes work requiring the exercise of discretion and independent judgment. Such a highly paid employee engaged in such work as his primary duty is deemed to meet all the requirements in § 541.2 (a) through (e). If an employee qualifies for exemption under this proviso, it is not necessary to test his qualifications in detail under § 541.2 (a) through (e).

(b) In Puerto Rico, the Virgin Islands, and American Samoa, the proviso of § 541.2(e) applies to those "administrative" employees who are compensated on a salary or fee basis of not less than \$150 per week.

12. Section 541.300 is revoked.

13. In § 541.311, paragraphs (a) and (b) are revised to read as follows:

§ 541.311 Amount of salary or fees required.

(a) Except as otherwise noted in paragraphs (b) and (c) of this section, compensation on a salary or fee basis at a rate of not less than \$140 per week, exclusive of board, lodging, or other facilities, is required for exemption as a "professional" employee. An employee will meet the requirement if he is paid a biweekly salary of \$280, a semi-monthly

salary of \$303.33, or a monthly salary of \$606.67. In the case of an employee who is brought within the purview of the Act by the Fair Labor Standards Amendments of 1966, the salary rate, until February 1, 1971, is \$130 per week. This requirement will be met if the employee is compensated on a salary basis of \$260 biweekly, \$281.67 semimonthly, or \$563.33 monthly.

(b) In Puerto Rico, the Virgin Islands, and American Samoa, the salary test for exemption as a "professional" employee is \$125 per week.

14. In § 541.313, paragraphs (c) and (d) are revised to read as follows:

§ 541.313 Fee basis.

(c) The adequacy of a fee payment—whether it amounts to payment at a rate of not less than \$140 per week to a professional employee or at a rate of not less than \$125 per week to an administrative employee—(except as otherwise provided in § 541.5b)—can ordinarily be determined only after the time worked on the job has been determined. In determining whether payment is at the rate specified in the regulations in Subpart A of this part the amount paid to the employee will be tested by reference to a standard workweek of 40 hours. Thus compliance will be tested in each case of a fee payment by determining whether the payment is at a rate which would amount to at least \$140 per week to a professional employee or at a rate of not less than \$125 per week to an administrative employee if 40 hours were worked.

(d) The following examples will illustrate the principle stated above:

(1) A singer receives \$50 for a song on a 15-minute program (no rehearsal time is involved). Obviously the requirement will be met since the employee would earn \$140 at this rate of pay in far less than 40 hours.

(2) An artist is paid \$75 for a picture. Upon completion of the assignment, it is determined that the artist worked 20 hours. Since earnings at this rate would yield the artist \$150 if 40 hours were worked, the requirement is met.

(3) An illustrator is assigned the illustration of a pamphlet at a fee of \$150. When the job is completed, it is determined that the employee worked 60 hours. If he worked 40 hours at this rate, the employee would have earned only \$100. The fee payment of \$150 for work which required 60 hours to complete therefore does not meet the requirement of payment at a rate of \$140 per week and the employee must be considered nonexempt. It follows that if in the performance of this assignment the illustrator worked in excess of 40 hours in any week, overtime rates must be paid. Whether or not he worked in excess of 40 hours in any week, records for such an employee would have to be kept in accordance with the regulations covering records for nonexempt employees (Part 516 of this chapter).

15. Section 541.315 is revised to read as follows:

§ 541.315 Special proviso for high salaried professional employees.

(a) Except as otherwise noted in paragraph (b) of this section, the definition of "professional" contains a special proviso for employees who are compensated on a salary or fee basis at a rate of at least \$200 per week (or \$175 per week, until Feb. 1, 1971, in the case of an employee brought within the purview of the Act by the Fair Labor Standards Amendments of 1966) exclusive of board, lodging, or other facilities. Under this proviso, the requirements for exemption in § 541.3 (a) through (e) will be deemed to be met by an employee who receives the higher salary or fees and whose primary duty consists of the performance of work requiring knowledge of an advanced type in a field of science or learning, or work as a teacher in the activity of imparting knowledge, which includes work requiring the consistent exercise of discretion and judgment, or consists of the performance of work requiring invention, imagination, or talent in a recognized field of artistic endeavor. Thus, the exemption will apply to highly paid employees employed either in one of the "learned" professions or in an "artistic" profession and doing primarily professional work. If an employee qualifies for exemption under this proviso, it is not necessary to test his qualifications in detail under § 541.3 (a) through (e).

(b) In Puerto Rico, the Virgin Islands, and American Samoa, the second proviso of § 541.3(e) applies to those "professional" employees who are compensated on a salary or fee basis of not less than \$150 per week.

16. In § 541.600, paragraph (a) is revised to read as follows:

§ 541.600 Combination exemptions.

(a) The Divisions' position under the regulations in Subpart A of this part permits the "tacking" of exempt work under one section of the regulations in Subpart A to exempt work under another section of those regulations, so that a person who, for example, performs a combination of executive and professional work may qualify for exemption. In combination exemptions, however, the employee must meet the stricter of the requirements on salary and nonexempt work. For instance, if the employee performs a combination of an executive's and an outside salesman's function (regardless of which occupies most of his time) he must meet the salary requirement for executives. Also, the total hours of nonexempt work under the definition of "executive" together with the hours of work which would not be exempt if he were clearly an outside salesman, must not exceed either 20 percent of the hours worked in the workweek by the nonexempt employees of the employer, whichever is the smaller amount.

(Sec. 13, 52 Stat. 1087, as amended; 29 U.S.C. 213)

Effective date. These amendments shall be effective 30 days following the

date of this publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 16th day of January, 1970.

ROBERT D. MARON,
Administrator.

[F.R. Doc. 70-795; Filed, Jan. 21, 1970; 8:45 a.m.]

Chapter XIII—Bureau of Labor Standards, Department of Labor

PART 1516—SAFETY AND HEALTH STANDARDS FOR FEDERAL SERVICE CONTRACTS

Updating of References; Clarifying Changes

Pursuant to section 4(a) of the Service Contract Act of 1965 (41 U.S.C. 353 (a)) Part 1516 of Title 29, Code of Federal Regulations, is hereby amended in order to reflect changes in the addresses of some of the regional offices of the Bureau of Labor Standards and to indicate that the name of the "United States of America Standards Institute" is changed to the "American National Standards Institute, Incorporated." In addition, some clarification is made concerning the application of the Department of Labor's standards issued under other safety and health legislation to working conditions and surroundings whereunder contracts for services covered by the Service Contract Act of 1965 are performed.

No notice and public procedure is provided because the changes relate to public contracts and thus are within the exemptions provided in 5 U.S.C. 553(a)(2), and further, such notice and public procedure is considered unnecessary because the changes are minor involving only clerical corrections or clarifying changes. The changes do not alter obligations arising under the Service Contract Act of 1965. The changes shall be effective immediately. No delay in effective date is provided because no substantive changes are involved.

Part 1516 is amended as indicated below.

1. Section 1516.2 is hereby amended to read as follows:

§ 1516.2 Safety and health standards.

(a) Every contractor and subcontractor shall protect the safety and health of service employees by complying with the applicable standards, specifications, and codes developed and published by the U.S. Department of Labor or any other agency of the United States and nationally recognized professional organizations. Information as to the latest standards, specifications, and codes applicable to a particular contract or invitation for bids is available at the office of the Director of the Bureau of Labor Standards, U.S. Department of Labor, Railway Labor Building, 400 First Street NW., Washington, D.C. 20212, or at any of the regional offices of the Bureau of Labor Standards as follows:

1. North Atlantic Region, 341 Ninth Avenue, Room 920, New York, N.Y. 10001 (Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont, New Jersey, and Puerto Rico).

2. Middle Atlantic Region, Room 410, Penn. Square Building, Juniper and Filbert Streets, Philadelphia, Pa. 19107 (Delaware, District of Columbia, Maryland, North Carolina, Pennsylvania, Virginia, and West Virginia).

3. South Atlantic Region, 1371 Peachtree Street NE., Suite 723, Atlanta, Ga. 30309 (Alabama, Florida, Georgia, Mississippi, South Carolina, and Tennessee).

4. Great Lake Region, 848 Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604 (Illinois, Indiana, Kentucky, Michigan, Minnesota, Ohio, and Wisconsin).

5. Mid-Western Region, 1906 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106 (Colorado, Idaho, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming).

6. Western Gulf Region, 411 North Akard Street, Room 601, Dallas, Tex. 75201 (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas).

7. Pacific Region, 10353 Federal Building, 450 Golden Gate Avenue, Box 36017, San Francisco, Calif. 94102 (Alaska, Arizona, California, Hawaii, Nevada, Oregon, Washington, and Guam).

(b) The following agencies and organizations, without limitation, are examples of those referred to in paragraph (a) of this section:

National Bureau of Standards, U.S. Department of Commerce.
Public Health Service, U.S. Department of Health, Education, and Welfare.
Bureau of Mines, U.S. Department of Interior.
American National Standards Institute, Incorporated (United States of America Standards Institute).
National Fire Protection Association.
American Society of Mechanical Engineers.
American Society for Testing and Materials.
American Conference of Governmental Industrial Hygienists.

(c) The safety and health standards published in 41 CFR Part 50-204 and in Parts 1501-1504 of this title are considered "applicable standards" within the meaning of paragraph (a) of this section and § 4.6(f) of this title whenever the working conditions or surroundings whereunder services are performed which are covered by the Act result in exposure to the same hazards or risks to which such standards otherwise apply.

2. Section 1516.3 would be amended to read as follows:

§ 1516.3 Records.

(a) * * *

(2) Records of injury frequency rates, calculated annually on a calendar year basis commencing the first of January of each year as defined in American National Standards Institute, Incorporated (United States of America Standards Institute), 1954 (Revised 1959) Z 16.1 "Method of Recording and Measuring Work Injury Experience."

(3) Records of injury severity rates, calculated annually on a calendar year basis commencing the first of January of each year as defined in American National Standards Institute, Incorporated (United States of America Standards Institute), 1954 (Revised 1959) Z 16.1

"Method of Recording and Measuring Work Injury Experience."

(Sec. 4(a), 79 Stat. 1035; 41 U.S.C. 353(a))

Signed at Washington, D.C., this 15th day of January 1970.

GEORGE P. SCHULTZ,
Secretary of Labor.

[F.R. Doc. 70-826; Filed, Jan. 21, 1970; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER B—SALES AND SERVICE

PART 818a—PERSONAL COMMERCIAL AFFAIRS

A new Part 818a is added:

Sec.	Purpose.
818a.0	Purpose.
818a.2	Solicitation.
818a.4	When solicitation is permitted.
818a.6	Solicitation notice.
818a.8	Letters of authorization.
818a.10	Prohibited solicitation practices.
818a.12	Grounds for revocation of on-base solicitation privilege.
818a.14	Revocation of on-base solicitation.
818a.16	Solicitation of motor vehicle liability insurance.

AUTHORITY: The provisions of this Part 818a issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

SOURCE: AFR 211-2, December 8, 1969.

§ 818a.0 Purpose.

This part establishes policy on private commercial solicitation on Air Force installations.

§ 818a.2 Solicitation.

(a) As used in this part, solicitation means selling, or attempting to sell all goods and services including life insurance, motor vehicle liability insurance, mutual funds, and securities. Solicitation, in this context, means making an appointment for the purpose of such selling.

(b) The term does not apply to:

(1) Residence services such as milk delivery, laundry services, and the like where such services are authorized by the installation commander.

(2) Solicitation and sale of life insurance on oversea installations. Such solicitation will be conducted under regulations issued by the unified or specified command having authority in the oversea area.

§ 818a.4 When solicitation is permitted.

Subject to each of the following conditions, it is permitted when:

(a) The installation commander has not, for reasons of security or other good cause, prohibited it.

(b) The individual base residents specifically invite the solicitor to their quarters or other place designated by the installation commander. (Solicitation on installation property of those

persons not resident on the installation is prohibited.)

(c) The solicitor is duly licensed in the jurisdiction in which the installation is located.

(d) It is consistent with AFR 147-7 (General Policies).

§ 818a.6 Solicitation notice.

A conspicuous notice of the restriction on solicitation will be posted in such form and place as to give notice to all wishing to solicit on the installation.

§ 818a.8 Letters of authorization.

No letter or other form of identification will be issued to the solicitor (routine visitor passes excluded).

§ 818a.10 Prohibited solicitation practices.

The following are prohibited:

(a) Making appointments with or soliciting military personnel who are in an "on-duty" status.

(b) Procuring or attempting to procure by/or supplying rosters or listings to any person for purposes of solicitation, direct or indirect.

(c) Offering unfair or deceptive inducements to purchase or trade.

(d) Using any manipulative, deceptive or fraudulent device, scheme, or artifice, including misleading advertising and sales literature.

(e) Any representation which suggests or gives rise to the appearance that the Department of Defense or any of its components sponsors the company, its agent, or its goods or services.

(f) Any breach of warranty or contract not promptly adjusted on demand.

(g) Soliciting recruits, trainees and transient personnel in a "mass" or "captive" audience.

(h) Using official identification cards by retired or reserve members of the armed forces to gain access to military installations for the purpose of soliciting.

(i) Solicitation by a military member of another military member who is equal to or lesser in grade, on or off duty, in or out of uniform, on or off a military installation at any time.

§ 818a.12 Grounds for revocation of on-base solicitation privilege.

The privilege of on-base solicitation may be denied for any one or more of the following reasons, provided the offender can be reasonably informed by prior notice of the restriction with which he is accused:

(a) Violation of any restriction, prohibition or requirement imposed by this part or any supplemental regulation hereto.

(b) Substantiated adverse complaints or reports regarding the quality of goods, services, or the manner in which they were offered for sale.

(c) Knowing and willful violations of the Truth-in-Lending Act, Regulation Z of the Federal Reserve Board, or any similar State or local law, ordinance or regulation.

(d) Personal misconduct by the solicitor while on-base.

(e) Possession of or any attempt to obtain supplies of allotment forms.

(f) Failure to substantially incorporate in every contract of sale made on the base the Standards of Fairness, Part 818 of this chapter.

§ 818a.14 Revocation of on-base solicitation privilege.

(a) *Reporting complaints.* Any person having knowledge of a ground for revocation of the privilege will report the situation to the Consolidated Base Personnel Office, Personnel Affairs Section (CBPO-PA). Where there is no CBPO-PA, the installation commander will designate an office to handle this function. The CBPO-PA will report the situation to the installation commander through personnel channels.

(b) *Installation commander.* (1) The installation commander may, at his discretion, close the case without action and advise the complainant of the reasons therefor. He may afford the offender an opportunity to show cause why his on-base solicitation privilege should not be revoked. This latter action will be in writing. It will set out the substance of the violation alleged and invite the offender to rebut or mitigate the violation either in person or in writing.

(2) If the offender fails to respond or successfully rebut or sufficiently mitigate the violation alleged, the installation commander will advise him in writing that his privilege to solicit on the installation has been removed. Such revocation will be for a reasonable period not to exceed 1 year (except in the case where the solicitor has not been licensed by civil authority or where such license has been withdrawn, the period of revocation will be at least coextensive with the unlicensed period). Notice of revocation will be in writing and delivered in person or by registered/certified mail (return receipt requested).

(3) Revocation will be published in base bulletins. A consolidated list of those whose privileges have been revoked will be published at no less than 6-month intervals.

(4) Where the offender is known to or likely to be soliciting on other military installations, the commander will advise such installation commanders of his action. If the offender is known to be operating extensively on military installations, or such appears probable, the commander will advise USAFMPC (AFPMSSDM). He will also notify the local Armed Forces Disciplinary Control Board.

(c) *Suspension.* The installation commander may, at his discretion, immediately suspend solicitation privileges, pending investigation and show cause action, for a period of 30 days. Notice of such suspension will be in writing and delivered either in person or by registered/certified mail, return receipt requested.

§ 818a.16 Solicitation of motor vehicle liability insurance.

The minimum requirements for motor vehicle liability insurance at Air Force installations are based on the Financial Responsibility Laws of the state in which

the installation is located and are further governed by AFR 125-14 (Motor Vehicle Traffic Supervision). Solicitation of the sale of motor vehicle liability insurance which does not meet these requirements is prohibited.

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, JR.,
Colonel, U.S. Air Force, Chief,
Special Activities Group, Office
of The Judge Advocate
General.

[F.R. Doc. 70-825; Filed, Jan. 21, 1970;
8:47 a.m.]

Title 26—INTERNAL REVENUE

**Chapter I—Internal Revenue Service,
Department of the Treasury**

SUBCHAPTER A—INCOME TAX

[T.D. 7021]

**PART 13—TEMPORARY INCOME TAX
REGULATIONS UNDER THE TAX RE-
FORM ACT OF 1969**

**Election To Include Certain Restricted
Property in Gross Income**

Correction

In F.R. Doc. 70-688, appearing at page 626, in the issue for Saturday, January 17, 1970, the first line of § 13.1(b) should read "(b) *Manner of making election.* The".

**Title 36—PARKS, FORESTS,
AND MEMORIALS**

Chapter V—Smithsonian Institution

**PART 500—STANDARDS OF
CONDUCT**

Political Activities of Employees

Pursuant to and in conformity with sections 201 through 209 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Part 500, Chapter V, Title 36 of the Code of Federal Regulations is amended as follows:

Subpart C of the Smithsonian Institution's regulations, in accordance with Executive Order 11408, dated April 25, 1968, is amended by inserting therein section 500.735-305, which reads as follows:

§ 500.735-305 Political activities.

Employees desiring to participate in political activities are cautioned to adhere strictly to the provisions of subchapter III of chapter 73 of title 5, U.S.C. (the former Hatch Act), and 18 U.S.C. 602, 603, 607, and 608. Advice on political activities and copies of applicable statutes and regulations may be obtained from the Office of the General Counsel.

This amendment was approved by the Civil Service Commission on December

24, 1969, and is effective on publication in the FEDERAL REGISTER.

S. DILLON RIPLEY,
Secretary.

JANUARY 16, 1970.

[F.R. Doc. 70-830; Filed, Jan. 21, 1970;
8:48 a.m.]

Title 42—PUBLIC HEALTH

**Chapter I—Public Health Service, De-
partment of Health, Education, and
Welfare**

**SUBCHAPTER F—QUARANTINE, INSPECTION,
LICENSING**

**PART 78—REGULATIONS FOR THE
ADMINISTRATION AND ENFORCE-
MENT OF THE RADIATION CON-
TROL FOR HEALTH AND SAFETY
ACT OF 1968**

**Control of Electronic Product
Radiation**

On June 4, 1969, notice of proposed rule-making was published in the FEDERAL REGISTER (34 F.R. 9853) to amend Part 78 by, among other things, (1) prescribing the notification procedures required of manufacturers of any electronic product having a defect or which falls to comply with an applicable Federal standard adopted under section 358 of the Act, (2) prescribing the procedures by which manufacturers would repair, replace, or refund the cost of such products, and (3) establishing procedures governing the importation of electronic products into the United States.

Interested persons were given the opportunity to participate in the rule-making through the submission of comments. On July 4, 1969, the time for submitting comments was extended until August 5, 1969 (34 F.R. 11273).

Pursuant to the above notices, a number of comments have been received from representatives of domestic and foreign manufacturers of electronic products and other interested persons, and due consideration has been given to all relevant material presented.

In light of the comments a number of revisions have been made in the rules as proposed, principally with respect to the definition of "defect" in an electronic product and with respect to the method of determining the "cost" which a manufacturer will refund to first purchasers of any electronic product found to have a defect or which fails to comply with any applicable standard.

Other changes resulting from consideration of the comments include a provision authorizing the notice to purchasers to be made in appropriate cases by the dealer or distributor whose name appears on the product, rather than the actual manufacturer and a revision in the wording of the notice by manufacturers to first purchasers required under section 359(b) of the Act.

Revisions to Subpart G regarding the importation of electronic products have been made in response to comments by the Department of the Treasury.

Due to the immediate need for the procedural regulations relating to the manufacture, sale, and importation of electronic products subject to the Act, it is considered necessary that these regulations become effective immediately upon republication. Accordingly the amendments to Part 78, as set forth below, are hereby adopted effective on the date of publication.

Subpart B—Definitions, Interpretations, and Statements of General Policy

- Sec.
78.100 Definitions and interpretations.
78.101 Examples of electronic products subject to the Radiation Control for Health and Safety Act of 1968.

Subparts C—E— [Reserved]

Subpart F—Notification of Defects in, and Repair or Replacement of, Electronic Products

- 78.500 Applicability.
78.501 Defect in electronic product.
78.502 Discovery of defect or failure of compliance by manufacturer; notice requirements.
78.503 Notification by the manufacturer to the Secretary.
78.504 Notification by the manufacturer to affected persons.
78.505 Copies of communications sent to first purchasers, dealers, or distributors.
78.506 Application for exemption from notification requirements.
78.507 Granting the exemption.
78.508 Determination by Secretary that product fails to comply or has a defect.
78.509 Manufacturer's obligation to repair, replace, or refund cost of electronic products.
78.510 Plans for the repair of electronic products.
78.511 Plans for the replacement of electronic products.
78.512 Plans for refunding the cost of electronic products.
78.513 Approval of plans.
78.514 Effect of regulations on other laws.

Subpart G—Importation of Electronic Products

- 78.601 Applicability.
78.602 Definitions.
78.603 Importation of noncomplying goods prohibited.
78.604 Notice of sampling.
78.605 Payment for samples.
78.606 Hearing.
78.607 Application for permission to bring product into compliance.
78.608 Granting permission to bring product into compliance.
78.609 Bonds.
78.610 Costs of bringing product into compliance.
78.611-78.629 [Reserved]

SERVICE OF PROCESS

- 78.630 Service of process on manufacturers and importers.

AUTHORITY: The provisions of Subparts B and G of this Part 78 issued under sec. 215, 58 Stat. 690, sec. 356, 82 Stat. 1174; 42 U.S.C. 216, 263d. The provisions of Subpart F of this Part 78 issued under sec. 359, 82 Stat. 1180; 42 U.S.C. 263g.

Subpart B—Definitions, Interpretations, and Statements of General Policy

§ 78.100 Definitions and interpretations.

As used in Part 78:

(a) "Electronic product radiation" means—

(1) Any ionizing or nonionizing electromagnetic or particulate radiation, or

(2) Any sonic, infrasonic, or ultrasonic wave, which is emitted from an electronic product as the result of the operation of an electronic circuit in such product.

(b) "Electromagnetic radiation" includes the entire electromagnetic spectrum of radiation of any wavelength. The electromagnetic spectrum illustrated in Figure 1 includes, but is not limited to, gamma rays, X-rays, ultraviolet, visible, infrared, microwave, radiowave, and low frequency radiations.

(c) "Particulate radiation" is defined as charged particles such as protons, electrons, alpha particles, heavy particles, etc., which have sufficient kinetic energy to produce ionization or atomic or electron excitation by collision, electrical attractions or electrical repulsion or uncharged particles such as neutrons, which can initiate a nuclear transformation or liberate charged particles having sufficient kinetic energy to produce ionization or atomic or electron excitation by collision.

(d) "Infrasonic, sonic (or audible) and ultrasonic waves" refer to energy transmitted as an alteration (pressure, particle displacement or density) in a property of an elastic medium (gas, liquid or solid) that can be detected by an instrument or listener.

(e) "Electronic product" means (1) any manufactured or assembled product which, when in operation, (i) contains or acts as part of an electronic circuit and (ii) emits (or in the absence of effective shielding or other controls would emit) electronic product radiation, or (2) any manufactured or assembled article which is intended for use as a component, part, or accessory of a product described in subparagraph (1) and which when in operation emits (or in the absence of effective shielding or other controls would emit) such radiation.

(f) "Manufacturer" means any person engaged in the business of manufacturing, assembling, or importing of electronic products.

(g) "Commerce" means (1) commerce between any place in any State and any place outside thereof, and (2) commerce wholly within the District of Columbia.

(h) "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(i) "Act" means the Radiation Control for Health and Safety Act of 1968 (Public Law 90-602, 42 U.S.C. 263b et seq.).

(j) "Secretary" means the Secretary of the Department of Health, Education, and Welfare.

(k) "Federal standard" means a performance standard issued pursuant to section 358 of the Act.

§ 78.101 Examples of electronic products subject to the Radiation Control for Health and Safety Act of 1968.

The following listed electronic products are intended to serve as illustrative examples of sources of electronic product radiation to which the regulations of this part apply.

(a) Examples of electronic products which may emit X-rays and other ionizing electromagnetic radiation, electrons, neutrons, and other particulate radiation include:

- Ionizing electromagnetic radiation:
Television receivers.
Accelerators.
X-ray machines (industrial, medical, research, educational).
Particulate radiation and ionizing electromagnetic radiation:
Electron microscopes.
Neutron generators.

(b) Examples of electronic products which may emit ultraviolet, visible, infrared, microwaves, radio and low frequency electromagnetic radiation include:

- Ultraviolet:
Biochemical and medical analyzers.
Tanning and therapeutic lamps.
Sanitizing and sterilizing devices.
Black light sources.
Welding equipment.
Visible:
White light devices.
Infrared:
Alarm systems.
Diathermy units.
Dryers, ovens, and heaters.
Microwave:
Alarm systems.
Diathermy units.
Dryers, ovens, and heaters.
Medico-biological heaters.
Microwave power generating devices.
Radar devices.
Remote control devices.
Signal generators.
Radio and low frequency:
Cauterizers.
Diathermy units.
Power generation and transmission equipment.
Signal generators.
Electromedical equipment.

(c) Examples of electronic products which may emit coherent electromagnetic radiation produced by stimulated emission include:

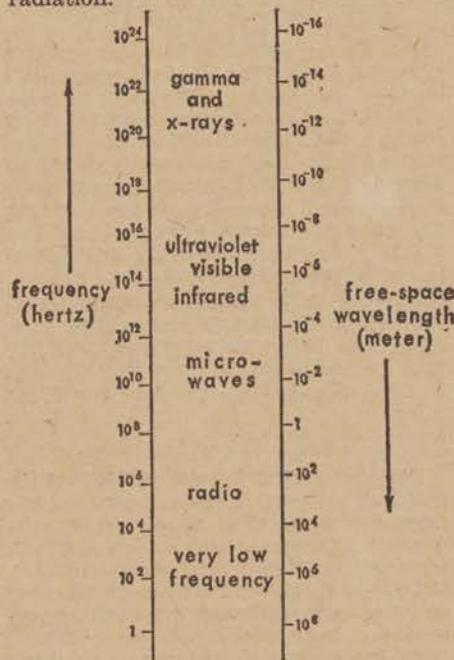


Figure 1. The Electromagnetic Spectrum

Laser:
 Art-form, experimental and educational devices.
 Biomedical analyzers.
 Cauterizing, burning and welding devices.
 Cutting and drilling devices.
 Communications transmitters.
 Ranging devices.

Maser:
 Communications transmitters.

(d) Examples of electronic products which may emit infrasonic, sonic, and ultrasonic vibrations resulting from operation of an electronic circuit include:

Infrasonic:
 Vibrators.
Sonic:
 Electronic oscillators.
 Sound amplification equipment.
Ultrasonic:
 Cauterizers.
 Cell and tissue disintegrators.
 Cleaners.
 Diagnostic and nondestructive testing equipment.
 Ranging and detection equipment.

Subpart F—Notification of Defects in, and Repair or Replacement of, Electronic Products

§ 78.500 Applicability.

The provisions of this subpart are applicable to electronic products which were manufactured after October 18, 1968.

§ 78.501 Defect in an electronic product.

For the purpose of this subpart, an electronic product shall be considered to have a defect which relates to the safety of use by reason of the emission of electronic product radiation if:

(a) It is a product which does not utilize the emission of electronic product radiation in order to accomplish its purpose, and from which such emissions are unintended, and as a result of its design, production or assembly (1) it emits electronic product radiation which creates a risk of injury, including genetic injury, to any person, or (2) it fails to conform to its design specifications relating to electronic radiation emissions; or

(b) It is a product which utilizes electronic product radiation to accomplish its primary purpose and from which such emissions are intended, and as a result of its design, production or assembly it (1) fails to conform to its design specifications relating to the emission of electronic product radiation; or (2) without regard to the design specifications of the product, emits electronic product radiation unnecessary to the accomplishment of its primary purpose which creates a risk of injury, including genetic injury to any person; or (3) fails to accomplish the intended purpose.

§ 78.502 Discovery of defect or failure of compliance by manufacturer; notice requirements.

Any manufacturer who discovers that any electronic product produced, assembled, or imported by him, which product has left its place of manufacture, has a defect or fails to comply with an applicable Federal standard shall:

(a) Immediately notify the Secretary in accordance with § 78.503, and

(b) Except as authorized by § 78.506, furnish notification with reasonable promptness to the following persons:

(1) The dealers or distributors to whom such product was delivered by the manufacturer; and

(2) The first purchaser of such product for purposes other than resale, and to any subsequent transferee of such product (where known to the manufacturer or where the manufacturer upon reasonable inquiry to dealers, distributors, or first purchasers can identify the present user).

§ 78.503 Notification by the manufacturer to the secretary.

The notification to the Secretary required by § 78.502(a) shall be confirmed in writing and, in addition to other relevant information which the Secretary may require, shall include the following:

(a) Identification of the product or products involved;

(b) The total number of such product units so produced, and the approximate number of such product units which have left the place of manufacture;

(c) The expected usage for the product if known to the manufacturer;

(d) A description of the defect in the product or the manner in which the product fails to comply with an applicable Federal standard;

(e) An evaluation of the hazards reasonably related to defect or the failure to comply with the Federal standard;

(f) A statement of the measures to be taken to repair such defect or to bring the product into compliance with the Federal standard;

(g) The date and circumstances under which the defect was discovered; and

(h) The identification of any trade secret information which the manufacturer desires kept confidential.

§ 78.504 Notification by the manufacturer to affected persons.

(a) The notification to the persons specified in § 78.502(b) shall be in writing and, in addition to other relevant information which the Secretary may require, shall include:

(1) The information prescribed by § 78.503 (a), (d), and instructions with respect to the use of the product pending the correction of the defect;

(2) A clear evaluation in nontechnical terms of the hazards reasonably related to any defect or failure to comply; and

(3) The following statement:

The manufacturer will, without charge, remedy the defect or bring the product into compliance with each applicable Federal standard in accordance with a plan to be approved by the Secretary of Health, Education, and Welfare, the details of which will be included in a subsequent communication to you.

Provided, If at the time the notification is sent, the Secretary has approved a plan for the repair, replacement or refund of the product, the notification may include the details of the approved plan in lieu of the above statement.

(b) The envelope containing the notice shall not contain advertising or other extraneous material, and such

mailings will be made in accordance with this section.

(1) No. 10 white envelopes shall be used, and the name and address of the manufacturer shall appear in the upper left corner of the envelope.

(2) The following statement is to appear in the far left third of the envelope in the type and size indicated and in reverse printing, centered in a red rectangle 3¾ inches wide and 2¼ inches high:

**IMPORTANT
 ELECTRONIC PRODUCT
 RADIATION WARNING**

The statement shall be in three lines, all capitals, and centered. "Important" shall be in 36-point Gothic Bold type. "Electronic Product" and "Radiation Warning" shall be in 36-point Gothic Condensed type.

(3) Envelopes with markings similar to those prescribed in this section shall not be used by manufacturers for mailings other than those required by this subpart.

(c) The notification shall be sent:

(1) By certified mail to first purchasers of the product for purposes other than resale and to subsequent transferees; and

(2) By certified mail or other more expeditious means to dealers and distributors.

(d) Where products were sold under a name other than that of the manufacturer of the product, the name of the individual or company under whose name the product was sold may be used in the notification required by this section.

§ 78.505 Copies of communications sent to first purchasers, dealers or distributors.

(a) Every manufacturer of electronic products shall furnish to the Secretary a copy of all notices, bulletins, or other communications sent to the dealers or distributors of such manufacturers or to purchasers (or subsequent transferees) of electronic products of such manufacturer regarding any defect in such product or any failure of such product to comply with an applicable Federal standard.

(b) In the event the Secretary deems the content of such notices to be insufficient to protect the public health and safety, the Secretary may require additional notice to such recipients, or may elect to make or cause to be made such notification by whatever means he deems appropriate.

§ 78.506 Application for exemption from notification requirements.

(a) A manufacturer may at the time of giving the written confirmation required by § 78.503 or within 15 days of the receipt of any notice from the Secretary pursuant to § 78.508(a), apply for an exemption from the requirement of notice to the persons specified in § 78.502(b).

(b) The application for exemption shall contain the information required by § 78.503 and in addition shall set forth in detail the grounds upon which the exemption is sought.

§ 78.507 Granting the exemption.

(a) If, in the judgment of the Secretary, the application filed pursuant to § 78.506 states reasonable grounds for an exemption from the requirement of notice, the Secretary shall give the manufacturer written notice specifying a reasonable period of time during which he may present his views and evidence in support of the application.

(b) Such views and evidence shall be confined to matters relevant to whether the defect in the product or its failure to comply with an applicable Federal standard is such as to create a significant risk of injury, including genetic injury, to any person and shall be presented in writing unless the Secretary determines that an oral presentation is desirable.

(c) If, during the period of time afforded the manufacturer to present his views and evidence, the manufacturer proves to the Secretary's satisfaction that the defect or failure to comply does not create a significant risk of injury, including genetic injury, to any person, the Secretary shall issue an exemption from the requirement of notification to the manufacturer and shall notify the manufacturer in writing specifying:

(1) The electronic product or products for which the exemption has been issued; and

(2) Such conditions as the Secretary deems necessary to protect the public health and safety.

§ 78.508 Determination by secretary that product fails to comply or has a defect.

(a) If, the Secretary, through testing, inspection, research, or examination of reports or other data, determines that any electronic product does not comply with an applicable Federal standard issued pursuant to the Act or has a defect, he shall immediately notify the manufacturer of the product in writing specifying:

(1) The defect in the product or the manner in which the product fails to comply with the applicable Federal standard;

(2) The Secretary's findings, with references to the tests, inspections, studies, or reports upon which such findings are based;

(3) A reasonable period of time during which the manufacturer may present his views and evidence to establish that there is no failure of compliance or that the alleged defect does not exist or does not relate to safety of use of the product by reason of the emission of electronic product radiation.

(b) Every manufacturer who receives a notice under § 78.508(a) shall immediately advise the Secretary in writing of the total number of such product units produced and the approximate number of such product units which have left the place of manufacture.

(c) If, after the expiration of the period of time specified in the notice, the Secretary determines that the product has a defect or does not comply with an applicable Federal standard and the manufacturer has not applied for an

exemption, he shall direct the manufacturer to furnish the notification to the persons specified in § 78.502(b) in the manner specified in § 78.504. The manufacturer shall within 14 days from the date of receipt of such directive furnish the required notification.

§ 78.509 Manufacturer's obligation to repair, replace, or refund cost of electronic products.

(a) If any electronic product fails to comply with an applicable Federal standard or has a defect and the notification specified in § 78.502(b) is required to be furnished, the manufacturer of such product shall (1) without charge, bring such product into conformity with such standard or remedy such defect and provide reimbursement for any expenses for transportation of such product incurred in connection with having such product brought into conformity or having such defect remedied; or (2) replace such product with a like or equivalent product which complies with each applicable Federal standard and which has no defect relating to the safety of its use; or (3) make a refund of the cost of the product to the purchaser.

(b) The manufacturer shall take the action required by this section in accordance with a plan approved by the Secretary pursuant to § 78.513 of this subpart.

§ 78.510 Plans for the repair of electronic products.

Every plan for bringing an electronic product into conformity with applicable Federal standards or for remedying any defect in such product shall be submitted to the Secretary in writing, and in addition to other relevant information which the Secretary may require, shall include:

(a) Identification of the product involved.

(b) The approximate number of defective product units which have left the place of manufacture.

(c) The specific modifications, alterations, changes, repairs, corrections, or adjustments to be made to bring the product into conformity or remedy any defect.

(d) The manner in which the operations described in subparagraph (c) will be accomplished, including the procedure for obtaining access to, or possession of, the products and the location where such operations will be performed.

(e) The technical data, test results, or studies demonstrating the effectiveness of the proposed remedial action.

(f) A time limit, reasonable in light of the circumstances, for completion of the operations.

(g) The system by which the manufacturer will provide reimbursement for any transportation expenses incurred in connection with having such product brought into conformity or having any defect remedied.

(h) The text of the statement which the manufacturer will send to the persons specified in § 78.502(b) informing such persons (1) that the manufacturer, at his expense, will repair the electronic

product involved, (2) of the method by which the manufacturer will obtain access to or possession of the product to make such repairs, (3) that the manufacturer will reimburse such persons for any transportation expenses incurred in connection with making such repairs, and (4) of the manner in which such reimbursement will be effected.

(i) An assurance that the manufacturer will provide the Secretary with progress reports on the effectiveness of the plan, including the number of electronic products repaired.

§ 78.511 Plans for the replacement of electronic products.

Every plan for replacing an electronic product with a like or equivalent product shall be submitted to the Secretary in writing, and in addition to other relevant information which the Secretary may require, shall include:

(a) Identification of the product to be replaced.

(b) A description of the replacement product in sufficient detail to support the manufacturer's contention that the replacement product is like or equivalent to the product being replaced.

(c) The approximate number of defective product units which have left the place of manufacture.

(d) The manner in which the replacement operation will be effected including the procedure for obtaining possession of the product to be replaced.

(e) A time limit, reasonable, in light of the circumstances for completion of the replacement.

(f) The steps which the manufacturer will take to insure that the defective product will not be reintroduced into commerce, until it complies with each applicable Federal standard and has no defect relating to the safety of its use.

(g) The system by which the manufacturer will provide reimbursement for any expenses for transportation of such product incurred in connection with effecting the replacement.

(h) The text of the statement which the manufacturer will send to the persons specified in § 78.502(b) informing such persons (1) that the manufacturer, at its expense, will replace the electronic product involved, (2) of the method by which the manufacturer will obtain possession of the product and effect the replacement, (3) that the manufacturer will reimburse such persons for any transportation expenses incurred in connection with effecting such replacement, and (4) of the manner in which such reimbursement will be made.

(i) An assurance that the manufacturer will provide the Secretary with progress reports on the effectiveness of the plan, including the number of electronic products replaced.

§ 78.512 Plans for refunding the cost of electronic products.

Every plan for refunding the cost of an electronic product shall be submitted to the Secretary in writing, and in addition to other relevant information which the Secretary may require, shall include:

(a) Identification of the product involved.

(b) The approximate number of defective product units which have left the place of manufacture.

(c) The manner in which the refund operation will be effected including the procedure for obtaining possession of the product for which the refund is to be made.

(d) The steps which the manufacturer will take to insure that the defective products will not be reintroduced into commerce, until it complies with each applicable Federal standard and has no defect relating to the safety of its use.

(e) A time limit, reasonable in light of the circumstances, for obtaining the product and making the refund.

(f) A statement that the manufacturer will refund the cost of such product together with the information the manufacturer has used to determine the amount of the refund.

(g) The text of the statement which the manufacturer will send to the persons specified in § 78.502(b) informing such persons (1) that the manufacturer, at his expense, will refund the cost of the electronic product plus any transportation costs, (2) of the amount to be refunded exclusive of transportation costs, (3) of the method by which the manufacturer will obtain possession of the product and make the refund.

(h) An assurance that the manufacturer will provide the Secretary with progress reports on the effectiveness of the plan, including the number of refunds made.

§ 78.513 Approval of plans.

If, after review of any plan submitted pursuant to this part, the Secretary determines that the action to be taken by the manufacturer will expeditiously and effectively fulfill the manufacturer's obligation under § 78.509 in a manner designed to encourage the public to respond to the proposal, the Secretary will send written notice of his approval of such plan to the manufacturer. Such approval may be conditioned upon such additional terms as the Secretary deems necessary to protect the public health and safety.

§ 78.514 Effect of regulations on other laws.

The remedies provided for in this part shall be in addition to and not in substitution for any other remedies provided by law and shall not relieve any person from liability at common law or under statutory law.

Subpart G—Importation of Electronic Products

§ 78.601 Applicability.

The provisions of this subpart are applicable to electronic products which are subject to the standards prescribed in Subpart C and are offered for importation into the United States.

§ 78.602 Definition.

As used in this subpart:

The term "owner" or "consignee" means the person who has the rights of

a consignee under the provisions of sections 483, 484, and 485 of the Tariff Act of 1930, as amended (19 U.S.C. 1483, 1484, 1485).

§ 78.603 Importation of noncomplying goods prohibited.

The importation of any electronic product for which standards have been prescribed under section 358 of the Act (42 U.S.C. 268f) shall be refused admission into the United States unless there is affixed to such product a certification in the form of a label or tag in conformity with section 358(h) of the Act (42 U.S.C. 263f(h)). Merchandise refused admission shall be destroyed or exported under regulations prescribed by the Secretary of the Treasury unless a timely and adequate petition for permission to bring the product into compliance is filed and granted under §§ 78.607 and 78.608.

§ 78.604 Notice of sampling.

When a sample of a product to be offered for importation has been requested by the Secretary, the District Director of Customs having jurisdiction over the shipment shall, upon the arrival of the shipment, procure the sample and shall give to its owner or consignee prompt notice of the delivery or of the intention to deliver such sample to the Secretary. If the notice so requires, the owner or consignee will hold the shipment of which the sample is typical and not release such shipment until he receives notice of the results of the tests of the sample from the Secretary, stating that the product is in compliance with the requirements of the Act. The District Director of Customs will be given the results of the tests. If the Secretary notifies the District Director of Customs that the product does not meet the requirements of the Act, the District Director of Customs shall require the exportation or destruction of the shipment in accordance with customs laws.

§ 78.605 Payment for samples.

The Department of Health, Education, and Welfare will pay for all import samples of electronic products rendered unsalable as a result of testing, or will pay the reasonable costs of repackaging such samples for sale, if the samples are found to be in compliance with the requirements of the Radiation Control for Health and Safety Act of 1968. Billing for reimbursement shall be made by the owner or consignee to the Bureau of Radiological Health, 12720 Twinbrook Parkway, Rockville, Md. 20852. Payment for samples will not be made if the sample is found to be in violation of the Act, even though subsequently brought into compliance pursuant to terms specified in a notice of permission issued under § 78.608.

§ 78.606 Hearing.

(a) If, from an examination of the sample or otherwise, it appears that the product may be subject to a refusal of admission, the Secretary shall give the owner or consignee a written notice to that effect, stating the reasons therefor. The notice shall specify a place and a

period of time during which the owner or consignee shall have an opportunity to introduce testimony unless the owner or consignee indicates his intention to bring the product into compliance. Upon timely request, such time and place may be changed. Such testimony shall be confined to matters relevant to the admissibility of the article and may be introduced orally or in writing.

(b) If the owner or consignee submits or indicates his intention to submit an application for permission to perform such action as is necessary to bring the product into compliance with the Act, such application shall include the information required by § 78.607 of this subpart.

(c) If the application is not submitted at or prior to the hearing, the Secretary may allow a reasonable time for filing such application.

§ 78.607 Application for permission to bring product into compliance.

Application for permission to perform such action as is necessary to bring the product into compliance with the Act may be filed only by the owner, consignee, or manufacturer and, in addition to any other information which the Secretary may reasonably require, shall:

(a) Contain a detailed proposal for bringing the product into compliance with the Act;

(b) Specify the time and place where such operations will be effected and the approximate time for their completion; and

(c) Identify the bond required to be filed pursuant to § 78.609 of this subpart.

§ 78.608 Granting permission to bring product into compliance.

(a) When permission contemplated by § 78.607 is granted, the Secretary shall notify the applicant in writing, specifying:

(1) The procedure to be followed;

(2) The disposition of the rejected articles or portions thereof;

(3) That the operations are to be carried out under the supervision of a representative of the Department of Health, Education, and Welfare;

(4) A reasonable time limit for completing the operations; and

(5) Such other conditions as he finds necessary to maintain adequate supervision and control over the product.

(b) Upon receipt of a written request for an extension of time to complete the operations necessary to bring the product into compliance, the Secretary may grant such additional time as he deems necessary.

(c) The notice of permission may be amended upon a showing of reasonable grounds thereof and the filing of an amended application for permission with the Secretary.

(d) If ownership of a product included in a notice of permission changes before the operations specified in the notice have been completed, the original owner will remain responsible under its bond, unless the new owner has executed a superseding bond on customs Form 7601 and obtained a new notice.

(e) The Secretary will notify the District Director of Customs having jurisdiction over the shipment involved, of the determination as to whether or not the product has in fact been brought into compliance with the Act.

§ 78.609 Bonds.

The bond required under section 360 (b) of the Act shall be executed by the owner or consignee on the appropriate form of a customs single-entry bond, customs Form 7551 or term bond, customs Form 7553 or 7595, containing a condition for the redelivery of the shipment or any part thereof not complying with the laws and regulations governing its admission into the commerce of the United States upon demand of the District Director of Customs and containing a provision for the performance of any action necessary to bring the product into compliance with all applicable laws and regulations. The bond shall be filed with the District Director of Customs.

§ 78.610 Costs of bringing product into compliance.

The costs of supervising the operations necessary to bring a product into compliance with the Act shall be paid by the owner or consignee who files an application pursuant to § 78.607 and executes a bond under section 360 (b) of the Act. Such costs shall include:

(a) Travel expenses of the supervising officer;

(b) Per diem in lieu of subsistence of the supervising officer when away from his home station, as provided by law;

(c) Services of the supervising officer to be calculated at a flat rate of \$12 per hour (which shall include administrative expense) except that such services performed by a customs officer and subject to the provisions of the Act of February 13, 1911, as amended (section 5, 365 Stat. 901, as amended, 19 U.S.C. 267), shall be calculated as provided by that Act;

(d) The minimum charge for services of supervising officers shall be not less than the charge for 1 hour and time after the first hour shall be computed in multiples of 1 hour, disregarding fractional parts less than one-half hour.

SERVICE OF PROCESS

§ 78.630 Service of process on manufacturers and importers.

(a) Every manufacturer of electronic products, prior to offering such product for importation into the United States, shall designate a permanent resident of the United States as the manufacturer's agent upon whom service of all processes, notices, orders, decisions, and requirements may be made for and on behalf of the manufacturer as provided in section 360h(d) of the Radiation Control for Health and Safety Act of 1968 (42 U.S.C. 263h(d)) and this section. The agent may be an individual, a firm, or a domestic corporation. For purposes of this section, any number of manufacturers may designate the same agent.

(b) The designation shall be addressed to the Bureau of Radiological Health,

12720 Twinbrook Parkway, Rockville, Md. 20852. It shall be in writing and dated; all signatures shall be in ink. The designation shall be made in the legal form required to make it valid and binding on the manufacturer under the laws, corporate bylaws, or other requirements governing the making of the designation by the manufacturer at the place and time where it is made, and the persons or person signing the designation shall certify that it is so made. The designation shall disclose the manufacturer's full legal name and the name(s) under which he conducts his business, if applicable, his principal place of business, and mailing address. If any of the products of the manufacturer do not bear his legal name, the designation shall identify the marks, trade names, or other designations of origin which these products bear. The designation shall provide that it will remain in effect until withdrawn or replaced by the manufacturer and shall bear a declaration of acceptance duly signed by the designated agent. The full legal name and mailing address of the agent shall be stated. Until rejected by the Secretary, designations are binding on the manufacturer even when not in compliance with all the requirements of this section. The designated agent may not assign performance of his function under the designation to another.

(c) Service of any process, notice, order, requirement, or decision specified in section 360(d) of the Radiation Control for Health and Safety Act of 1968 may be made by registered or certified mail addressed to the agent with return receipt requested, or in any other manner authorized by law. In the absence of such a designation or if for any reason service on the designated agent cannot be effected, service may be made as provided in section 360(d) by posting such process, notice, order, requirement, or decision in the Office of the Director, Bureau of Radiological Health and publishing a notice that such service was made in the FEDERAL REGISTER.

Dated: December 31, 1969.

CHRIS A. HANSEN,
Assistant Surgeon General,
Commissioner, Environmental
Control Administration.

[F.R. Doc. 70-740; Filed, Jan. 21, 1970;
8:45 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Revised S.O. 1009, Amdt. 1]

PART 1033—CAR SERVICE

Railroad Operating Regulations for Freight Car Movement

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 22d day of December 1969.

Upon further consideration of Service Order No. 1009 (34 F.R. 12392), and good cause appearing therefor:

It is ordered, That § 1033.1009. Revised Service Order No. 1009 (Railroad operating regulations for freight car movement) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., June 30, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., December 31, 1969.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-844; Filed, Jan. 21, 1970;
8:49 a.m.]

[S.O. 1025, Amdt. 3]

PART 1033—CAR SERVICE

Regulations for Return of Covered Hopper Cars

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 22d day of December 1969.

Upon further consideration of Service Order No. 1025 (34 F.R. 7451, 9870) as amended, and good cause appearing therefor:

It is ordered, That: § 1033.1025 Service Order No. 1025 (Regulations for return of covered hopper cars) be, and it is hereby, amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date.* This order shall expire at 11:59 p.m., March 31, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., December 31, 1969.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That copies of this amendment shall be served upon the

Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-843; Filed, Jan. 21, 1970;
8:49 a.m.]

[S.O. 1032, Amdt. 4]

PART 1033—CAR SERVICE

Great Northern Railway Co. Authorized To Operate Over Tracks of the Chicago, Rock Island and Pacific Railroad Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 17th day of December 1969.

Upon further consideration of Service Order No. 1032 (34 F.R. 12180, 15356, 17805) as amended, and good cause appearing therefor:

It is ordered, That: § 1033.1032 *Service Order No. 1032* (Great Northern Railway Co. authorized to operate over tracks of the Chicago, Rock Island and Pacific Railroad Co.) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., March 31, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., December 31, 1969.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That copies of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-842; Filed, Jan. 21, 1970;
8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 28—PUBLIC ACCESS, USE AND RECREATION

Havasu Lake National Wildlife Refuge, Arizona and California

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 28.28 Special regulations; public access, use, and recreation; for individual wildlife refuge areas.

ARIZONA AND CALIFORNIA

HAVASU LAKE NATIONAL WILDLIFE REFUGE

Havasu Lake National Wildlife Refuge, Needles, Calif., is open to public access, use and recreation, subject to the provisions of Title 50, Code of Federal Regulations, all applicable Federal and State laws and regulations, and the following special conditions:

(1) Water skiing is permitted in the channelized segment of the Colorado River, as designated by signs, from 1.7 miles south of Topock, Ariz., to the north boundary of the refuge; and on that portion of Lake Havasu, as designated by signs, laying south of the Island.

(2) Fires may be built only at designated camping and picnicking areas.

(3) Camping is limited to 7 days unless otherwise posted and is permitted only at designated sites.

(4) Boating is permitted in all waters of the refuge except where restricted by appropriate signs.

(5) Vehicle access is permitted on all refuge roads except where restricted by appropriate signs.

The provisions of this special regulation supplement the regulations which govern public access, use and recreation of wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1970.

BLAYNE D. GRAVES,
Refuge Manager, Havasu National Wildlife Refuge, Needles, Calif.

DECEMBER 16, 1969.

[F.R. Doc. 70-798; Filed, Jan. 21, 1970;
8:45 a.m.]

PART 28—PUBLIC ACCESS, USE AND RECREATION

Iroquois National Wildlife Refuge, N.Y.

The following special regulation is issued and is effective on the date of publication in the FEDERAL REGISTER.

§ 28.28 Special regulations; public access, use and recreation; for individual wildlife refuge areas.

NEW YORK

IROQUOIS NATIONAL WILDLIFE REFUGE

Travel on foot or by motor vehicle except snowmobile and motorcycle is permitted on designated travel routes, for the purpose of nature study, photography, hiking, and sightseeing during daylight hours. Pets are permitted if on a leash not over 10 feet in length. Fishing and hunting may be permitted under special regulations.

The refuge area, comprising 10,783 acres, is delineated on maps available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1970.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

JANUARY 15, 1970.

[F.R. Doc. 70-799; Filed, Jan. 21, 1970;
8:45 a.m.]

PART 28—PUBLIC ACCESS, USE AND RECREATION

Elizabeth Morton National Wildlife Refuge, N.Y.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 28.28 Special regulations; public access, use, and recreation; for individual wildlife refuge areas.

NEW YORK

ELIZABETH MORTON NATIONAL WILDLIFE REFUGE

Entry to the refuge area on foot or bicycles is permitted for the purpose of birdwatching, photography, nature study, hiking, picnicking, and fishing during daylight hours. Pets are not permitted on the refuge.

The refuge, comprising 187 acres, is delineated on a map available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations governing recreation of wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1970.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

JANUARY 15, 1970.

[F.R. Doc. 70-800; Filed, Jan. 21, 1970;
8:45 a.m.]

PART 28—PUBLIC ACCESS, USE, AND RECREATION

PART 33—SPORT FISHING

Certain Wildlife Refuges in Alabama, Arkansas, Florida, Georgia, Louisiana, South Carolina, and Tennessee

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations: sport fishing; for individual wildlife refuge areas.

ARKANSAS

WAPANOCCA NATIONAL WILDLIFE REFUGE

Sport fishing on the Wapanocca National Wildlife Refuge, Turrell, Ark., is permitted on Wapanocca Lake and other areas as designated by signs as open to fishing. These open areas are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

- (1) The sport fishing season on the refuge extends from April 1, 1970, through October 15, 1970.
- (2) Fishing permitted during daylight hours only.
- (3) Motors larger than 5½ horsepower are prohibited. No boats are allowed in the woody ponds area on the south side of the refuge.
- (4) The use of jug, drop, or trotlines are prohibited.
- (5) The use of live carp, shad, buffalo, and goldfish for bait are prohibited.
- (6) No fishing permitted within 100 yards of the bridge, water control structure, and boat dock which is located behind the refuge headquarters.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 15, 1970.

WHITE RIVER NATIONAL WILDLIFE REFUGE

Sport fishing on the White River National Wildlife Refuge, De Witt, Ark., is permitted only on the areas designated by signs as open to fishing. These open areas comprising 2,592 acres are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

- (1) The sport fishing season on the refuge extends from March 16, 1970, through October 31, 1970.
- (2) Boats without owner's name plate affixed in a conspicuous place may not be left overnight.
- (3) Taking of frogs, water skiing, and firearms prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 31, 1970.

FLORIDA

LAKE WOODRUFF NATIONAL WILDLIFE REFUGE

Sport fishing on the Lake Woodruff National Wildlife Refuge, DeLeon Springs, Fla., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 650 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

- (1) The sport fishing season is open year-round on refuge waters west of Norris Dead River, Lake Woodruff, and Spring Garden Creek. The open season extends from March 15, 1970, to October 15, 1970 in refuge waters east of the Norris Dead River, Lake Woodruff, and Spring Garden Creek.
- (2) Fishing on refuge waters is permitting during daylight hours only.
- (3) Airthrust boats are prohibited.
- (4) Firearms of any type are prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1970.

LOXAHATCHEE NATIONAL WILDLIFE REFUGE

Sport fishing on the Loxahatchee National Wildlife Refuge, Delray Beach, Fla., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 74,492 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

- (1) The sport fishing season on the refuge extends from February 23, 1970, to February 22, 1971.
- (2) Fishing is restricted to 1 hour before sunrise until 1 hour after sunset.
- (3) Boats may enter or leave the refuge only at the three public ramps as follows: (a) North end of the refuge at S-5A landing; (b) headquarters boat ramp; (c) S-39 boat ramp on south end of refuge.
- (4) Method of fishing is with attended rod and reel and/or pole and line. Trotlines, limb lines, nets, or other set tackle prohibited.
- (5) Air-thrust boats may be authorized only by special permit issued by the refuge manager. Speedboats and racing

craft are prohibited except for official purposes.

(6) Persons must follow such routes of travel within the area as may be designated by posting by the refuge officer-in-charge. To protect Government property or wildlife the refuge officer-in-charge may close any or all the area.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33 and are effective to February 22, 1971.

ST. VINCENT NATIONAL WILDLIFE REFUGE

Sport fishing on the St. Vincent National Wildlife Refuge, Franklin County, Apalachicola, Fla., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 360 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations.

(1) The sport fishing season extends from date of this announcement through October 30, 1970.

(2) Fishermen are permitted on the refuge from 1 hour before sunrise to 1 hour after sunset.

(3) No motors of any type may be used.

(4) Users must follow designated routes of travel from the beach to the open fishing area.

(5) Boats may be left on the island at designated points during the open season provided they are identified with their owner's name and address. Boats must be removed from the refuge no later than October 30, 1970.

(6) Use of live minnows as bait is prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 30, 1970.

ST. MARKS NATIONAL WILDLIFE REFUGE

Sport fishing on the St. Marks National Wildlife Refuge, St. Marks, Fla., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 44,000 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

- (1) The sport fishing season on the refuge extends from April 1, 1970, through October 15, 1970, on the St. Marks and Wakulla Units, and from March 1, 1970, through October 15, 1970 on certain designated areas of the Panacea Unit north of Highway No. 372. The area south of Highway No. 372 on the

Panacea Unit will remain open through December 31, 1970.

(2) Fishing permitted one-half hour before sunrise until one-half hour after sunset, 7 days a week.

(3) Boats with gasoline engines to 4 horsepower and electric motors are permitted.

(4) Trotlines as permitted by State regulations are allowed except that lines shall be taken up prior to closing hour of fishing daily.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1970.

GEORGIA

BLACKBEARD ISLAND NATIONAL WILDLIFE REFUGE

Sport fishing on the Blackbeard Island National Wildlife Refuge, McIntosh County, Townsend, Ga., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 680 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

(1) The sport fishing season on the refuge extends from March 15, 1970, through October 25, 1970.

(2) Fishing is permitted in daylight hours only.

(3) Boats with motors prohibited.

(4) Use of live minnows as bait prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 25, 1970.

OKEFENOKEE NATIONAL WILDLIFE REFUGE

Sport fishing is permitted on the Okefenokee National Wildlife Refuge, Waycross, Ga. Certain isolated areas are closed and posted. The open areas are delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

(1) Fishing permitted during daylight hours only.

(2) Boats with motors not larger than 10 hp., canoes and rowboats permitted.

(3) Artificial and live bait (except live minnows) permitted.

(4) Trotlines, limb lines, nets, or other set tackle prohibited.

(5) Persons entering refuge from main access points must register with the respective concessioner.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas

generally which are set forth in Title 50, Code of Federal Regulations, Part 33 and are effective through December 31, 1970.

PIEDMONT NATIONAL WILDLIFE REFUGE

Sport fishing on the Piedmont National Wildlife Refuge, Round Oak, Ga. is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 10 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

(1) The sport fishing season on the refuge extends from March 1, 1970, through November 15, 1970.

(2) Fishing permitted during daylight hours only.

(3) Boats with motors prohibited.

(4) Use of live minnows as bait prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through November 15, 1970.

LOUISIANA

LACASSINE NATIONAL WILDLIFE REFUGE

Sport fishing on the Lacassine National Wildlife Refuge, Lake Arthur, La., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 28,000 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

(1) The sport fishing season on the refuge extends from March 1, 1970, through October 15, 1970.

(2) Fishing permitted from 45 minutes before sunrise to 45 minutes after sunset.

(3) Entry to Lacassine Pool restricted to four roller-ways provided.

(4) Boats may not be left inside the refuge overnight.

(5) Boats with outboard motors no larger than 20 hp. permitted in Lacassine Pool. No size restrictions on boats and motors in the canals and streams.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 15, 1970.

SABINE NATIONAL WILDLIFE REFUGE

Sport fishing on the Sabine National Wildlife Refuge, Sulphur, La., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 40,000 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fish-

ing shall be in accordance with all applicable State regulations except the following special conditions:

(1) The sport fishing season on the refuge extends from March 1, 1970, through October 15, 1970.

(2) Fishermen must not enter refuge waters earlier than 45 minutes before sunrise and shall leave refuge waters by 45 minutes after sunset.

(3) Boats may be moored only at designated areas in Pool 1b or Pool 3. Boats left at these mooring sites must bear owner's name and address. Boats found moored outside designated areas or without require identification will be removed to refuge headquarters. All boats must be removed from the refuge prior to the close of the fishing season.

(4) Boats may not be dragged across levees for access to pool acres. Travel over the refuge is restricted to waterways. Fishermen are not to walk canal banks or levees except in Pool 1b. Boat access into Pool 1b is restricted to bridge sites on Road Canal.

(5) Boats with outboard motors not larger than 10 horsepower permitted in refuge lakes and impoundments. No size restrictions on boats and motors in the canals and bayous.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33 and are effective through October 15, 1970.

SOUTH CAROLINA

SAVANNAH NATIONAL WILDLIFE REFUGE

Sport fishing on the Savannah National Wildlife Refuge, Jasper County, Hardeeville, S.C., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 3,000 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

(1) The sport fishing season on the refuge extends from March 15, 1970, through October 25, 1970.

(2) Fishing is permitted during daylight hours only.

(3) Boats powered with electric outboard motors are permitted in the impoundments. Boats powered with gasoline outboard motors are prohibited in the impoundments.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 25, 1970.

TENNESSEE

LAKE ISOM NATIONAL WILDLIFE REFUGE

Sport fishing on the Lake Isom National Wildlife Refuge, Tenn., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 750 acres, are delineated on

RULES AND REGULATIONS

a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

(1) The sport fishing season on the refuge extends from March 16, 1970, through September 30, 1970; sunrise to sunset.

(2) Boats with outboard motors and inboard motors of not more than 6 horsepower may be used.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through September 30, 1970.

REELFOOT NATIONAL WILDLIFE REFUGE

Sport fishing on the Reelfoot National Wildlife Refuge, Tenn., is permitted only on the area designated by signs as open to fishing. These open areas, comprising 9,092 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

(1) The sport fishing season on the refuge extends from the date of this publication through October 23, 1970, except that portion of the refuge located south of Upper Blue Basin remains open until 7 days before opening of the 1970 duck season.

(2) Boats with outboard motors and inboard motors of not more than 10 horsepower may be used.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective until 7 days before opening of the 1970 duck season.

HATCHIE NATIONAL WILDLIFE REFUGE

Sport fishing on the Hatchie National Wildlife Refuge, Brownsville, Tenn., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 100 acres, are delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

(1) The sport fishing season on the refuge extends from April 1, 1970, through October 15, 1970.

(2) Fishing permitted during daylight hours only.

(3) Boats powered with electric outboard motors are permitted. Gasoline outboard motors are prohibited.

(4) Methods of fishing are limited to pole and line, or rod and reel, using natural or artificial baits.

(5) Vehicles may be used on refuge roads and trails to reach fishing area.

(6) Footpaths may be used to reach all lakes from Hatchie River.

(7) Firearms prohibited.

(8) Boats must be removed from refuge no later than October 22, 1970.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 15, 1970.

WHEELER NATIONAL WILDLIFE REFUGE,
ALABAMA

The following special regulation is issued and is effective upon publication in the FEDERAL REGISTER. These special regulations provide access across and through certain portions of National Wildlife Refuges.

§ 28.28 Special regulations, public access, use, and recreation; for individual wildlife refuge areas.

ALABAMA

WHEELER NATIONAL WILDLIFE REFUGE

Area open to transportation of unstrung bows and arrows when used for fishing in conformance with Alabama State fishing regulations. This regulation effective March 1, 1970, through June 15, 1970.

LAWRENCE S. GIVENS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JANUARY 9, 1970.

[F.R. Doc. 70-806; Filed, Jan. 21, 1970; 8:45 a.m.]

PART 33—SPORT FISHING

Swan Lake National Wildlife Refuge,
Mo.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MISSOURI

SWAN LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Swan Lake National Wildlife Refuge, Sumner, Mo., is permitted on the areas designated by signs as open to fishing. The open areas, comprising 10,500 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from March 1 through September 30, 1970, inclusive, during daylight hours only.

(2) Boats, without motors, may be used on Swan Lake, Silver Lake, and that portion of South Lake immediately adjacent to No. 5 levee.

(3) Travel is permitted on all roads except those posted with "Road Closed" signs.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through September 30, 1970.

ROBERT H. TIMMERMAN,
Refuge Manager, Swan Lake
National Wildlife Refuge,
Sumner, Mo.

JANUARY 14, 1970.

[F.R. Doc. 70-801; Filed, Jan. 21, 1970; 8:45 a.m.]

PART 33—SPORT FISHING

McNary National Wildlife Refuge,
Wash.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

General conditions. Fishing shall be in accordance with applicable State regulations. Portions of the refuge which are open to fishing are designated by signs and/or delineated on maps. The maps are available at the refuge headquarters, Post Office Box 19, Burbank, Wash. 99323, and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Ore. 97208.

WASHINGTON

M'NARY NATIONAL WILDLIFE REFUGE

Special conditions. (1) The refuge is closed to sport fishing during the migratory waterfowl hunting season.

(2) The use of boats or floating devices of any description is prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to January 1, 1971.

TRAVIS S. ROBERTS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JANUARY 13, 1970.

[F.R. Doc. 70-802; Filed, Jan. 21, 1970; 8:45 a.m.]

PART 33—SPORT FISHING

Certain Range and Wildlife Refuges
in Nevada

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

General conditions. Fishing shall be in accordance with applicable State regulations. Portions of refuges which are open to fishing are designated by signs and/or delineated on maps. The maps are available at the respective refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Ore. 97208.

NEVADA

1. *Charles Sheldon Antelope Range.* (Headquarters: Post Office Box 111, Lakeview, Ore. 97630.)

2. *Ruby Lake National Wildlife Refuge.* Ruby Valley, Nev. 89833.

3. *Stillwater National Wildlife Refuge.* Post Office Box 592, Fallon, Nev. 89406.

Special conditions for refuges above. (1) Refuges closed to fishing during the migratory waterfowl hunting season.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1970.

TRAVIS S. ROBERTS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JANUARY 13, 1970.

[F.R. Doc. 70-803; Filed, Jan. 21, 1970; 8:45 a.m.]

PART 33—SPORT FISHING

Certain Wildlife Refuges in California

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

General conditions. Fishing shall be in accordance with applicable State regulations. Portions of refuges which are open to fishing are designated by signs and/or delineated on maps. The maps are available at the respective refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Ore. 97208.

CALIFORNIA

1. *Colusa National Wildlife Refuge.* (Headquarters: Sacramento National Wildlife Refuge, Route 1, Box 311, Willows, Calif., 95988.)

Special conditions. (1) The taking of frogs is permitted except that the refuge is closed to sport fishing and the taking of frogs during the migratory waterfowl hunting season.

(2) The use of boats without motors is permitted for fishing and the taking of frogs.

2. *Delevan National Wildlife Refuge.* (Headquarters: Sacramento National Wildlife Refuge, Route 1, Box 311, Willows, Calif. 95988.)

Special conditions. (1) The taking of frogs is permitted except that the refuge is closed to sport fishing and the taking of frogs during the migratory waterfowl hunting season.

(2) The use of boats without motors is permitted for fishing and the taking of frogs.

3. *Modoc National Wildlife Refuge.* (Headquarters: Sheldon-Hart-Modoc NWR, Post Office Box 111, Lakeview, Ore. 97630.)

Special conditions. (1) Fishing will not be permitted during the migratory waterfowl hunting season.

4. *Sacramento National Wildlife Refuge.* Route 1, Box 311, Willows, Calif. 95988.

Special conditions. (1) The taking of frogs is permitted except that the refuge is closed to sport fishing and the taking of frogs during the migratory waterfowl hunting season.

(2) The use of boats without motors is permitted for fishing and the taking of frogs.

5. *San Luis National Wildlife Refuge.* Post Office Box 2176, Los Banos, Calif. 93635.

Special conditions. (1) Fishing permitted from sunrise to 1 hour after sunset.

6. *Salton Sea National Wildlife Refuge.* Post Office Box 247, Calipatria, Calif. 92233.

Special condition. (1) Fishing is permitted in that portion of the refuge which is inundated by the Salton Sea.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1970.

TRAVIS S. ROBERTS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JANUARY 13, 1970.

[F.R. Doc. 70-804; Filed, Jan. 21, 1970; 8:45 a.m.]

PART 33—SPORT FISHING

Certain Wildlife Refuges in Oregon

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

General conditions. Fishing shall be in accordance with applicable State regulations. Portions of refuges which are open to fishing are designated by signs and/or delineated on maps. The maps are available at the respective refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Ore. 97208.

OREGON

1. *Ankeny National Wildlife Refuge.* (Headquarters: William L. Finley National Wildlife Refuge, Route 2, Box 208, Corvallis, Ore. 97330.)

Special conditions. (1) The use of boats is not permitted.

(2) During the open season, fishing shall be permitted each day from 1 hour before sunrise to 1 hour after sunset. Use of artificial lights will not be permitted.

2. *Hart Mountain National Antelope Refuge.* (Headquarters: Sheldon-Hart Mountain National Antelope Refuges, U.S. Post Office Building, Post Office Box 111, Lakeview, Ore. 97630.)

3. *Klamath Forest National Wildlife Refuge.* (Headquarters: Tule Lake National Wildlife Refuge, Route 1, Box 74, Tulelake, Calif. 96134.)

Special conditions. (1) Use of boats is not permitted.

4. *Malheur National Wildlife Refuge.* Post Office Box 113, Burns, Ore. 97720.

Special condition. (1) Refuge waters, with the exception of Krumbo Reservoir, are closed to the use of boats for fishing purposes. The use of motors on boats is not permitted.

5. *Upper Klamath National Wildlife Refuge.* (Headquarters: Tule Lake National Wildlife Refuge, Route 1, Box 74, Tulelake, Calif. 96134.)

Special condition. (1) Speed boats shall not exceed 10 miles per hour in any stream, creek, or canal, and that portion of Pelican Bay west of a line beginning at a point on the north shore of Pelican Bay one-fourth mile east of Crystal Creek and extending due south to opposite shore of the lake.

6. *William L. Finley National Wildlife Refuge.* Route 2, Box 208, Corvallis, Ore. 97330.

Special conditions. (1) Use of boats is not permitted.

(2) During the open season, fishing shall be permitted each day from 1 hour before sunrise to 1 hour after sunset. Use of artificial lights will not be permitted.

7. *Cold Springs National Wildlife Refuge.* (Headquarters: Umatilla National Wildlife Refuge, Post Office Box 239, Easton Post Office Building, Umatilla, Ore. 97882.)

Special conditions. (1) The refuge is closed to sport fishing during the migratory waterfowl hunting season.

(2) Boats without motors may be used for purpose of fishing.

8. *McKay Creek National Wildlife Refuge.* (Headquarters: Umatilla National Wildlife Refuge, Post Office Box 239, Easton Post Office Building, Umatilla, Ore. 97882.)

Special condition. (1) The refuge is closed to sport fishing during the migratory waterfowl hunting season.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1970.

TRAVIS S. ROBERTS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JANUARY 13, 1970.

[F.R. Doc. 70-805; Filed, Jan. 21, 1970; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Navel Orange Regulation 193]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.493 Navel Orange Regulation 193.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 33 F.R. 15471), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section

will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 20, 1970.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period January 23, 1970, through January 29, 1970, are hereby fixed as follows:

- (i) District 1: 1,033,000 cartons.
- (ii) District 2: 160,000 cartons.
- (iii) District 3: 37,000 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: January 21, 1970.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 70-913; Filed, Jan. 21, 1970;
11:21 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk) Department of Agriculture

[Milk Order No. 40]

PART 1040—MILK IN THE SOUTHERN MICHIGAN MARKETING AREA

Order Suspending a Certain Provision

This suspension order is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Southern Michigan marketing area.

It is hereby found and determined that in § 1040.12, which defines a "fluid milk product", the provision "yogurt" no longer tends to effectuate the declared policy of the Act and should be suspended for a period of 6 months.

STATEMENT OF CONSIDERATION

Suspension of this order provision will change the classification of yogurt from a Class I product to a Class III product.

The suspension was requested by two handlers regulated by the Southern Michigan order. One is a proprietary handler who distributes yogurt in Michigan, Ohio, Illinois, and Indiana. The other is an operating cooperative association that distributes yogurt in Michigan.

Federal orders applicable in Indiana, Illinois, and the eastern part of Ohio classify yogurt in a class equivalent to Class III under the Southern Michigan order. The handlers requesting the suspension contend that because of the lower classification of yogurt under these other orders, they are unable to compete for yogurt sales in Michigan or else-

where with handlers in the neighboring markets who pay the surplus price for milk going into yogurt. The Southern Michigan handlers indicate that this suspension action is necessary to place them on a competitive cost basis with handlers operating under orders which classify yogurt in the class for manufactured products.

The suspension is supported by cooperative associations, including the above-mentioned operating cooperative, representing a substantial majority of the producers on the Southern Michigan market. The producer groups indicate that the suspension should be effective for a limited period until the classification of yogurt can be reviewed through the hearing procedure. They point out that national organizations in the dairy industry are preparing for hearings on the proper and uniform classification of yogurt and other products under Federal milk orders.

Opposition to this suspension was expressed by a cooperative association with members delivering milk to handlers under the Southern Michigan order and under several Ohio orders. The cooperative argues that the competitive problems relating to yogurt are not so urgent as to warrant a classification change by suspension rather than through the hearing process. Also, it contends that this suspension could prompt requests for similar classification changes under the various Ohio orders where yogurt is a Class I product.

With respect to this latter point, it is noted that the classification of yogurt under the Ohio orders was an issue at recent hearings on proposed amendments to the orders. The records of those hearings are now under consideration by the Department.

In view of the current competitive situation described by proponents, the temporary suspension of yogurt from the fluid milk product definition of the order is appropriate. In December 1969, the cost to Detroit handlers of producer milk used in making yogurt with a 2 percent butterfat content was \$5.14 per hundredweight under the Southern Michigan order. The corresponding cost for handlers in nearby markets was: Indiana—\$3.12; Eastern Ohio-Western Pennsylvania—\$3.10; and Chicago Regional—\$3.40. These differences in prices being paid by competing handlers for milk used in the same product is not conducive to the orderly marketing of milk being supplied by producers in the Southern Michigan market. The concern of producers is indicated by the substantial producer support for this suspension action.

The suspension should be made effective at this time for a 6-month period. As indicated, a hearing on the classification of yogurt is contemplated by industry groups. Six months should provide a reasonable time for interested parties to initiate and participate in a review, through hearing procedure, of the classification of yogurt under the Southern Michigan order.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing for producers on the Southern Michigan market;

(b) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Interested parties were afforded the opportunity to file written data, views or arguments concerning this suspension (34 F.R. 19142).

Therefore, good cause exists for making this order effective February 1, 1970.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the months of February through July 1970.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Effective date: February 1, 1970.
Signed at Washington, D.C., on January 19, 1970.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 70-810; Filed, Jan. 21, 1970;
8:45 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306(a) is amended to show that the position of Assistant to the Deputy Secretary of Defense is no longer excepted under Schedule C, and that the position of Assistant to the Sec-

retary and Deputy Secretary of Defense is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (30) of paragraph (a) of § 213.3306 is revoked and a new subparagraph (34) is added as set forth below.
§ 213.3306 Department of Defense.

(a) *Office of the Secretary.* * * *
(30) [Revoked].

* * * * *
(34) Assistant to the Secretary and Deputy Secretary of Defense.

* * * * *
(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-58
Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
*Executive Assistant to
the Commissioners.*

[F.R. Doc. 70-893; Filed, Jan. 21, 1970;
10:35 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 17]

BREAD

Identity Standard; Proposal To List Ascorbic Acid as Optional Ingredient

Notice is given that a petition has been filed by Delmar Chemicals, Inc., King of Prussia, Pa. 19406, proposing that the standard of identity for bread (21 CFR 17.1) be amended to permit the optional use of ascorbic acid in a quantity not more than 0.02 part for each 100 parts by weight of flour used, including any quantity of ascorbic acid in the flour used.

Grounds given in support are:

1. The addition of ascorbic acid by the baker in the manufacture of bread would provide great flexibility in his operations and would make duplicate inventories of ascorbic acid-treated flour and untreated flour unnecessary.

2. Ascorbic acid is recognized as being functionally effective as a dough conditioner in the manufacture of bakery products by its inclusion in the standard of identity for flour (21 CFR 15.1), and the proposed amendment would permit the baker to add ascorbic acid directly to the dough, or indirectly through use of ascorbic acid-treated flour, or both, depending upon his needs.

3. Direct addition of ascorbic acid by the baker would permit elimination of: (a) The "brew stage", which requires approximately 2½ hours, from the continuous bread-production process; and (b) the initial or bulk fermentation stage, which requires 4 to 5 hours, from the conventional "sponge and dough" process.

Due to cross-references, optional dough conditioners permitted in bread by § 17.1 are also permitted ingredients in enriched bread, milk bread, raisin bread, and whole wheat bread (§§ 17.2 through 17.5); however:

1. Ascorbic acid, although permitted as a dough conditioner in flour (§ 15.1), is not permitted in whole wheat flour (§ 15.80).

2. Flour (§ 15.1) is not used in whole wheat bread (§ 17.5).

3. Food and Drug Administration files do not contain data showing the use of ascorbic acid for dough-conditioning purposes in whole wheat flour or in the manufacture of whole wheat bread.

4. The petitioner has not included in his petition a proposal that ascorbic acid be permitted as a dough conditioner in whole wheat bread.

Accordingly, the Commissioner of Food and Drugs requests interested persons to submit comments with support-

ing data on the functionality of ascorbic acid as a dough conditioner in the manufacture of whole wheat bread (§ 17.5). In the absence of such data, § 17.5 will have to be amended to preclude the use of ascorbic acid in whole wheat bread. If adequate data is received supporting the functionality of ascorbic acid as a dough conditioner when added to whole wheat flour (§ 15.80) and to the dough in the manufacture of whole wheat bread (§ 17.5), the Commissioner proposes that these standards be appropriately amended to provide for such use.

Therefore, it is proposed that § 17.1(a) be amended by adding a new subparagraph, as follows:

§ 17.1 Bread, white bread, and rolls, white rolls, or buns, white buns; identity; label statement of optional ingredients.

(a) * * *

() Ascorbic acid, but the total quantity thereof, including any quantity in the flour used, is not more than 0.02 part for each 100 parts by weight of flour used.

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), all interested persons are invited to submit their views in writing (preferably in quintuplicate) regarding this proposal within 60 days following the date of publication of this notice in the FEDERAL REGISTER. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, and may be accompanied by a memorandum or brief in support thereof.

Dated: January 12, 1970.

SAM D. FINE,
Acting Associate Commissioner,
for Compliance.

[F.R. Doc. 70-796; Filed, Jan. 21, 1970;
8:45 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR Part 536]

[General Order 13; Docket No. 69-53]

FILING OF THROUGH ROUTES AND THROUGH RATES

Enlargement of Time for Filing Answers

At the request of Sea-Land Service, Inc., and good cause appearing, time within which answers to Hearing Coun-

sel's reply may be filed is enlarged to and including January 27, 1970.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-838; Filed, Jan. 21, 1970;
8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 81]

[Docket No. 18739]

WATCH REQUIREMENTS APPLICABLE TO LIMITED COAST STATIONS AND MARINE UTILITY STATIONS ON SHORE

Order Extending Time for Filing Comments

1. The above-captioned notice of proposed rule making (FCC 69-1258) was released on November 24, 1969. It provided for the filing of comments by January 2, 1970, and reply comments by January 17, 1970. Tug Communications, Inc. (TUGCOM), and the Ohio River Co. have each filed a petition for an extension of time in which to file comments.

2. TUGCOM and Ohio River Co. request a 60 day extension on the grounds that the 1-month period of time allotted for filing comments in the subject notice of proposed rule making was insufficient considering the intervening holidays and the importance of the subject matter. Both Petitioners state that the requested extension of time is necessary in order to submit meaningful comments.

3. The Commission is not unmindful of the problem associated with preparing comments during the Christmas season and it appears that the additional time requested by the Petitioners would not adversely delay action and their comments would be useful to the Commission in resolving the issues in this proceeding.

4. In view of the foregoing: *It is ordered*, That, pursuant to § 0.331(b)(4) and 1.46 of the Commission's rules, the time for filing comments in the above-captioned proceeding is extended from January 2, 1970, to March 2, 1970, and the time for filing reply comments is extended from January 12, 1970, to March 12, 1970.

Adopted: January 14, 1970.

Released: January 16, 1970.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] JAMES E. BARR,
Chief, Safety and Special
Radio Services Bureau.

[F.R. Doc. 70-831; Filed, Jan. 21, 1970;
8:48 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Part 260]

[Docket No. R-378]

REPORTING OF PIPELINE FAILURES
AND INTERRUPTIONS TO SERVICE
AND FPC FORMS 2 AND 2-A

Notice of Proposed Rule Making

JANUARY 16, 1970.

1. Notice is given pursuant to section 553, title 5 of the United States Code, that the Federal Power Commission is proposing to revise its Regulations under the Natural Gas Act to provide for notification to the Federal Power Commission in the event of serious interruptions to natural gas service caused by system failure on any part of the pipeline system or other causes.

2. The proposed revision and the compilation of such reports will be of assistance to the Federal Power Commission and the natural gas industry in fulfilling their obligation to the public to provide better service through increased efficiency and reliability. The amendments to Forms 2 and 2-A propose a new reporting schedule entitled "Service Interruptions Occurring on the Pipeline System" (Attachment A) which will replace the present schedule entitled "Pipeline System Accidents and Failures" which appears on page 570 of Form 2 and page 14 of Form 2-A (Attachment B). The proposed schedule incorporates the same reporting scheme as the present schedule relating to pipeline system accidents and failures, except that the proposed schedule deals with service interruptions on the pipeline system rather than pipeline system accidents and failures. The reporting of the number of deaths or injuries has been deleted since it is inapplicable to the new schedule. The only major additions require the reporting of a description of the facility involved, the cause of the interruption, and the volume of gas interrupted.

3. The proposed rulemaking reflects the Commission's intent to effectively coordinate its efforts with the Department of Transportation in its promulgation of minimum Federal safety standards for the transportation of gas and pipeline facilities, as required by section 3(b) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. § 1671-1684). The action proposed by the Commission herein will eliminate duplication of reporting requirements by the Department of Transportation's Office of Pipeline Safety and the Federal Power Commission. Amendments to the Annual Report, Forms 2 and 2-A, are proposed to be effective for the reporting year 1970 and thereafter.

4. Accordingly, we propose to amend § 260.9 of the FPC's Regulations under the Natural Gas Act, Part 260, Subchapter G, Chapter I, Title 18 of the Code of Federal Regulations (18 CFR 260.9), by deleting the entire text of § 360.9 and substituting a new § 260.9 reading as follows:

§ 260.9 Report by natural gas pipeline companies on service interruptions occurring on the pipeline system.

(a) Every natural gas pipeline company shall report to the Federal Power Commission any interruption of service to a wholesale customer involving facilities operated under certificate authorization from the Commission. Any service interrupted in accordance with the provisions of filed tariffs permitting interruption in service shall not be reported.

(b) Natural gas pipeline companies shall report such interruptions to service by telegram to the Chief, Bureau of Natural Gas, Federal Power Commission, 441 G Street NW., Washington, D.C. 20426 at the earliest feasible time following such interruption to service and shall state briefly the (1) location and (2) time thereof, (3) customers affected, and (4) emergency actions taken to maintain service.

(c) If so directed by the Commission or the Chief, Bureau of Natural Gas, the company shall provide such supplemental information so as to provide a full report of the circumstances surrounding the occurrence.

(d) Natural gas pipeline companies shall furnish to the Commission within 20 days of each interruption to service involving failure of facilities on any part of the pipeline system operated under certificate authorization from the Commission a copy of such failure reports as required by the Department of Transportation reporting requirement under the Natural Gas Pipeline Safety Act of 1968.

(e) Copies of the telegraphic report on interruption of service shall be sent to the State commission in those States where service has been or might be affected.

(52 Stat. 824, 825, 826, 827, 828, 830; 56 Stat. 83, 84; 61 Stat. 459; 15 U.S.C. secs. 717f, 717i, 717j, 717m, and 717o)

5. We further propose to delete the schedule "Pipeline System Accidents and Failures" on page 570 of FPC Form No. 2, prescribed by § 260.1(c) (18 CFR 260.1(c)) and substitute a new schedule, as set forth in Attachment A.¹

6. We further propose to delete the schedule "Pipeline System Accidents and Failures" on FPC Form 2-A prescribed by § 260.2(c) (18 CFR 260.2(c)) and substitute a new schedule as set forth in Attachment A.¹

7. In order to list correctly the new schedules, we propose to revise §§ 260.1(c) and 260.2(c) of the Commission's regulations under the Natural Gas Act, Part 260, Subchapter G, Chapter I, Title 18 of the Code of Federal Regulations (18 CFR 260.1(c), 260.2(c)) as follows:

§ 260.1 [Amended]

1. In § 260.1 Form No. 2, Annual report for natural gas companies (Class A and B), paragraph (c), delete schedule titled "Pipeline System Accidents and Failures."

¹ Attachments filed as part of the original document.

§ 260.2 [Amended]

2. In § 260.2 Form No. 2-A, Annual report for natural gas companies (Class C and Class D), paragraph (c), delete schedule titled "Pipeline System Accidents and Failures."

8. Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than March 4, 1970, data, views, comments, and suggestions, in writing, concerning the proposed revised report forms and regulations. An original and 14 conformed copies should be filed with the Commission. In addition, interested persons wishing to have their comments considered in the clearance of the proposed report form revision under the provisions of the Federal Reports Act of 1942 may at the same time submit a conformed copy of their comments directly to the Clearance Officer, Office of Statistical Standards, Bureau of the Budget, Washington, D.C. 20503. Submissions to the Commission should indicate the name and address of the person to whom correspondence in regard to the proposal should be addressed, and whether the person filing them requests a conference at the Federal Power Commission to discuss the proposed revision in the report form. The Commission will consider all such written submission before acting on the matters herein proposed.

9. The revision of the Commission's Regulations and Forms is proposed to be issued under the authority granted by the Natural Gas Act, as amended, particularly sections 7, 10, 13, 14, and 16 thereof (52 Stat. 824, 825, 826, 827, 828, 830; 56 Stat. 83, 84; 61 Stat. 459; 15 U.S.C. § 717f, 717i, 717j, 717m, 717o).

10. The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By the Commission.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-812; Filed, Jan. 21, 1970; 8:46 a.m.]

SMALL BUSINESS
ADMINISTRATION

[13 CFR Part 121]

[Rev. 9]

SMALL BUSINESS SIZE STANDARDS

Notice of Proposal To Amend the Definition of a Small Manufacturer of Refined Petroleum Products for Purpose of Government Procurements, Disposals and SBA Loans

Notice is hereby given that the Administrator of the SBA proposes to amend Part 121 of Chapter I of Title 13 of the Code of Federal Regulations by changing the definition of a small manufacturer of refined petroleum products for the purpose of Government procurements, disposals and SBA loans.

PROPOSED RULE MAKING

Currently § 121.3-8, § 121.3-9, and § 121.3-10 of Part 121 include as one of the criteria for determining small business eligibility, a requirement that a small refiner shall not have more than 30,000 barrels-per-day crude oil or bona fide feed stock capacity from owned or leased facilities.

It is proposed to change the definition to provide that any capacity which a refiner obtains through an agreement under which another concern's refining facilities are in effect made available to such concern as though such facilities had been leased, shall be included in computing such concern's total capacity.

Interested persons may file with the Small Business Administration within 15 days after publication of this notice in the FEDERAL REGISTER, written statements of facts, opinions or arguments concerning the proposal.

All correspondence shall be addressed to:

Associate Administrator, Procurements and Management Assistance, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416, Attention: Size Standards Staff.

It is proposed to amend the regulation as follows:

1. Revise § 121.3-8(g)(1)(ii) of Part 121 of Chapter I of Title 13 of the Code of Federal Regulations to read as follows:

§ 121.3-8 Definition of small business for Government procurement.

* * * *

(g) * * *

(1) * * *

(ii) It does not have more than 30,000 barrels-per-day crude oil or bona fide feed stock capacity from owned or leased facilities, or from facilities made available to such concern under an arrangement with the same effect as though such facilities had been leased.

2. Revise Footnote 3 of Schedule A of § 121.3-10 of Part 121 to read as follows:

^a Together with its affiliates does not employ more than 1,000 persons and does not have more than 30,000 barrels-per-day crude oil or bona fide feed stock capacity from owned or leased facilities or from facilities made available to such concern under an arrangement with the same effect as though such facilities had been leased.

3. Revise § 121.3-9(a)(1) of Part 121 to read as follows:

§ 121.3-9 Definition of small business for sales of Government property.

* * * *

(a) * * *

(1) *Manufacturers.* Any concern which is primarily engaged in manufacturing is small if its number of employees does not exceed 500 persons; *Provided, however,* That a concern primarily engaged in SIC Industry 2911, Petroleum Refining, is small if its number of employees does not exceed 1,000 persons and it does not have more than 30,000 barrels-per-day crude oil or bona fide feed stock capacity from owned or leased facilities or from facilities made available to such concern under an arrangement with the same effect as though such facilities had been leased.

Dated: January 9, 1970.

W. D. BREWER,
Acting Administrator.

[F.R. Doc. 70-829; Filed, Jan. 21, 1970;
8:47 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

GARY L. MADDOX, JR.

Notice of Granting of Relief

Notice is hereby given that Gary L. Maddox, Jr., 128 Garrett Drive, Virginia Beach, Va., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on February 8, 1952, in the Circuit Court of the City of Chesapeake, Va., of a crime punishable by imprisonment for a term exceeding one year. Unless relief is granted, it will be unlawful for Gary L. Maddox because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Gary L. Maddox to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Gary L. Maddox's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144, it is ordered that Gary L. Maddox be, and he hereby is, granted relief from many and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 15th day of January 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-854; Filed, Jan. 21, 1970;
8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Sacramento 2213]

CALIFORNIA

Opening of Lands From Waterpower Withdrawals

JANUARY 15, 1970.

By virtue of the authority contained in section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to Bureau Order No. 701 of July 23, 1964, as amended, and pursuant to the authority redelegated to me by the Acting Manager, November 18, 1965 (30 F.R. 14444), it is ordered as follows:

1. In an order issued January 5, 1970, the Federal Power Commission vacated the withdrawal created pursuant to the filing on November 22, 1920, of an application for preliminary permit for Power Project No. 105 of the following described land:

MOUNT DIABLO MERIDIAN

T. 9 S., R. 24 E.,
Sec. 13, W $\frac{1}{2}$ SW $\frac{1}{4}$.

The area described contains approximately 80 acres in the Sierra National Forest in Fresno County.

2. At 10 a.m., on February 16, 1970, the land described herein shall be open to such forms of disposition as may be law be made of national forest land subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, rules, and regulations.

The State of California has waived the preference right allowed it under section 24 of the Federal Power Act of June 10, 1920, supra.

The lands have been open to application and offers under the mineral leasing laws. Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, Calif.

JESSE H. JOHNSON,
Acting Chief,
Lands Adjudication Section.

[F.R. Doc. 70-840; Filed, Jan. 21, 1970;
8:49 a.m.]

CALIFORNIA

Notice of Filing of Plat of Accretion Survey

JANUARY 14, 1970.

1. Plat of survey of the land described below will be officially filed in the Land Office, Sacramento, Calif., effective at 10 a.m. on February 23, 1970.

MOUNT DIABLO MERIDIAN

T. 29 N., R. 3 W.,
Sec. 22, Lot 6.

The area surveyed contains 40.14 acres.

2. The plat represents the survey of lands accreted to Lot 5, sec. 22, since the original survey of this section in 1869 by William Magee, Deputy Surveyor. The accretion is the result of a gradual shifting of the bed of the Sacramento River.

3. Subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law, the lands are open to the operation of the public land laws generally. All valid applications received at or prior to 10 a.m. on February 23, 1970 shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in order of filing.

4. Any inquiries relating to this land should be directed to the Land Office, Bureau of Land Management, Room E-2807, Federal Office Building, 2800 Cottage Way, Sacramento, Calif. 95825.

JOHN E. CLUTE,
Chief, Branch of Title and Records.

[F.R. Doc. 70-807; Filed, Jan. 21, 1970;
8:46 a.m.]

[Wyoming-22713]

WYOMING

Order Providing for Opening of Public Lands

JANUARY 14, 1970.

1. In exchanges of lands made under the provision of section 8 of the Act of June 28, 1934 (48 Stat. 1269) as amended (43 U.S.C. 315g), the following described lands have been reconveyed to the United States:

SIXTH PRINCIPAL MERIDIAN

GROUP I

T. 15 N., R. 81 W.,
Sec. 19, lots 2, 3, and 4.
T. 15 N., R. 82 W.,
Sec. 24, E $\frac{1}{2}$ E $\frac{1}{2}$.

GROUP II

T. 25 N., R. 72 W.,
Sec. 18, N $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 28, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 29, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 30, NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 25 N., R. 73 W.,
Sec. 13, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 17 N., R. 74 W.,
Sec. 28, SW $\frac{1}{4}$.
T. 26 N., R. 78 W.,
Sec. 23, E $\frac{1}{2}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 26, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 24 N., R. 79 W.,
Sec. 16, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$.

T. 19 N., R. 81 W.,
Sec. 6, lots 3, 4, 5, 6, and 7, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and
E $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 23 N., R. 82 W.,
Sec. 16.

T. 23 N., R. 85 W.,
Sec. 16, N $\frac{1}{2}$ and SW $\frac{1}{4}$.

T. 19 N., R. 88 W.,
Sec. 36, S $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 22 N., R. 89 W.,
Sec. 16, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 23 N., R. 89 W.,
Sec. 16, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 36.

T. 24 N., R. 89 W.,
Sec. 16.

T. 13 N., R. 90 W.,
Sec. 6, tr. 37.

T. 14 N., R. 90 W.,
Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 18 N., R. 90 W.,
Sec. 16.

T. 19 N., R. 90 W.,
Sec. 16, E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$.

T. 21 N., R. 90 W.,
Sec. 36.

T. 16 N., R. 91 W.,
Sec. 16.

T. 21 N., R. 91 W.,
Sec. 16.

T. 20 N., R. 92 W.,
Sec. 16.

T. 21 N., R. 92 W.,
Sec. 36.

T. 25 N., R. 92 W.,
Sec. 36.

T. 26 N., R. 92 W.,
Sec. 36.

T. 17 N., R. 93 W.,
Sec. 10, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 20 N., R. 93 W.,
Sec. 36.

T. 23 N., R. 93 W.,
Sec. 36.

T. 25 N., R. 93 W.,
Sec. 16.

T. 17 N., R. 94 W.,
Sec. 16.

T. 22 N., R. 94 W.,
Sec. 16.

T. 12 N., R. 95 W.,
Sec. 16, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$
SE $\frac{1}{4}$.

T. 15 N., R. 95 W.,
Sec. 36, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 17 N., R. 95 W.,
Sec. 36, SW $\frac{1}{4}$.

T. 18 N., R. 95 W.,
Sec. 16, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 36.

T. 19 N., R. 95 W.,
Sec. 16, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 20 N., R. 95 W.,
Sec. 16.

T. 13 N., R. 96 W.,
Sec. 16, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$.

T. 20 N., R. 97 W.,
Sec. 16, N $\frac{1}{2}$.

T. 27 N., R. 97 W.,
Sec. 16.

T. 27 N., R. 102 W.,
Sec. 16;
Sec. 36.

T. 26 N., R. 105 W.,
Sec. 36.

T. 18 N., R. 106 W.,
Sec. 16, N $\frac{1}{2}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 17 N., R. 109 W.,
Sec. 36.

T. 26 N., R. 110 W.,
Sec. 36.

The areas described aggregate 22,059.89 acres.

2. The lands are located in Albany, Carbon, Fremont, and Sweetwater Coun-

ties. The topography ranges from nearly level to rough, and the lands have values for watershed, grazing, wildlife, and recreation.

3. The mineral rights in the lands were not exchanged. Therefore, the mineral status of the lands is not affected by this order.

4. Subject to valid existing rights, the provision of existing withdrawals, and the requirements of applicable law, the lands will at 10 a.m. on February 16, 1970, be open to application, petition, and selection under the public land laws with the exception that all the lands in Group II are subject to multiple-use classifications W-6227 or W-12668 and are not open to application under the agriculture land laws (43 U.S.C. Part 7 and 9; 25 U.S.C. Sec. 334), or to public sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). All valid applications received at or prior to 10 a.m. on February 16, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

5. Inquiries concerning the lands should be addressed to the Bureau of Land Management, Post Office Box 1828, Cheyenne, Wyo. 82001.

DANIEL P. BAKER,
State Director.

[F.R. Doc. 70-808; Filed, Jan. 21, 1970;
8:46 a.m.]

Fish and Wildlife Service

[Docket No. A-519]

JOHN R. WINTHER AND
BETTY J. WINTHER

Notice of Loan Application

JANUARY 15, 1970.

John R. Winther and Betty J. Winther, Box 1355, Juneau, Alaska 99801, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 65.5-foot registered length wood vessel to engage in the fishery for halibut, salmon, black cod, tuna, shrimp, crab and other shellfish.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations

of the vessel will or will not cause such economic hardship or injury.

C. E. PETERSON,
Chief,

Division of Financial Assistance.

[F.R. Doc. 70-822; Filed, Jan. 21, 1970;
8:47 a.m.]

FEDERAL RESERVE SYSTEM

SAVINGS & TRUST COMPANY OF INDIANA

Order Approving Merger of Banks

In the matter of the application of The Savings & Trust Company for approval of merger with Farmers' & Miners' Trust Company.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by The Savings & Trust Company of Indiana, Indiana, Pa., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank with Farmers' & Miners' Trust Co., Punxsutawney, Pa., under the charter and name of The Savings & Trust Company of Indiana. As an incident to the merger, the office of Farmers' & Miners' Trust Co. would become a branch of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger.

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that said application be and hereby is approved, provided that said merger shall not be consummated (a) before the 30th calendar day following the date of this Order or (b) later than 3 months after the date of this order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Cleveland pursuant to delegated authority.

Dated at Washington, D.C., this 16th day of January 1970.

By order of the Board of Governors:²

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-837; Filed, Jan. 21, 1970;
8:48 a.m.]

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Cleveland.

² Voting for this action: Governors Robertson, Mitchell, Daane, Maisel, and Sherrill. Absent and not voting: Chairman Martin and Governor Brimmer.

INTERSTATE COMMERCE COMMISSION

[Notice 7]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

JANUARY 16, 1970.

The following applications are governed by Special Rule 247¹ of the Commission's general rules of practice (49 CFR, 1100.247 as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure reasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d) (4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Pro-

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

cedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 2368 (Sub-No. 25), filed December 4, 1969. Applicant: BRALLEY-WILLET TANK LINES, INC., 2212 Deepwater Terminal Road, Richmond, Va. 23204. Applicant's representative: E. Stephen Heisley, 666 Eleventh Street, NW., Washington, D.C. 20001. Authority, sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Caprolactam wash water*, in bulk, in tank vehicles, from the international boundary of the United States and Canada on the St. Lawrence River to Hopewell, Va.; and (2) *animal oils*, in bulk, in tank vehicles, from Portsmouth, Va., to points in Alabama, Florida, Michigan, New Hampshire, and Vermont. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 3252 (Sub-No. 62), filed November 17, 1969. Applicant: MERRILL TRANSPORT CO., a corporation, 1037 Forest Avenue, Portland, Maine 04104. Applicant's representative: Francis E. Barrett, Jr., 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* which because of size or weight require the use of special equipment, between points in Maine on the one hand, and, on the other, points in Washington, Warren, Hamilton, Essex, Clinton, Franklin, St. Lawrence, Jefferson, Lewis, and Herkimer Counties, N.Y.; and (2) *gypsum rock and clinkers*, from Searsport, Maine, to Thomaston, Maine. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Application accompanied by motion to dismiss. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine, or Boston, Mass.

No. MC 8768 (Sub-No. 34), filed December 17, 1969. Applicant: SECURITY VAN LINES, INC., 100 West Airline Highway, Kenner, La. 70062. Applicant's representative: Herbert Burstein, 30 Church Street, New York, N.Y. 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission in *Practices of Motor Common Carriers of Household Goods*, Ex Parte No. MC-19, between points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority can-

not be tacked with its existing authority. Applicant further states that upon approval of this application, applicant is prepared to surrender its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 11592 (Sub-No. 9), filed December 22, 1969. Applicant: BEST REFRIGERATED EXPRESS, INC., 1001 West South Omaha Bridge Road, Council Bluffs, Iowa. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packing-houses* as defined in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk, in tank vehicles, and except hides, from Omaha, Nebr.; Oakland, Iowa; and Fort Morgan, Colo.; to points in New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Kentucky, Ohio, Indiana, Illinois, Michigan, Wisconsin, and Minnesota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 22229 (Sub-No. 60), filed December 8, 1969. Applicant: TERMINAL TRANSPORT COMPANY, INC., 248 Chester Avenue SE., Atlanta, Ga. 30316. Applicant's representatives: Ralph B. Matthews (same address as above), also Jack Goodman, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Atlanta, Ga., and Birmingham, Ala., from Atlanta over Interstate Highway 20, and for those segments of Interstate Highway 20 that are incomplete, using U.S. Highway 78 and such access roads as are necessary, and return over the same route serving no intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 25798 (Sub-No. 204), filed December 8, 1969. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery goods and related advertising, promotional, and display materials*, from the plantsite and/or storage facilities of Johnson Biscuit Co. at Sioux City, Iowa, to points in Alabama, Florida, Georgia, and Tennessee. NOTE: Applicant

states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa.

No. MC 26667 (Sub-No. 2), filed December 17, 1969. Applicant: CONSOLIDATED FAST TRUCKING, INC., 1074 West 14th Place, Chicago, Ill. 60608. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, Ill. 60641. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Green salted hides*, from Chicago, Ill., to Brooklyn and Gloversville, N.Y.; Boston, Lawrence, North Adams, and Peabody, Mass.; Baltimore, Md.; Newark and Jersey City, N.J.; Philadelphia, Reading, and Westover, Pa.; Detroit, Mich.; and Luray, Va. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 31533 (Sub-No. 10) (Correction), filed July 31, 1969, published in the FEDERAL REGISTER issue of January 15, 1970, and republished as corrected, this issue. Applicant: SOUTH BEND FREIGHT LINE, INC., Post Office Box 545, South Bend, Ind. 46624. Applicant's representative: Robert M. Kaske, 2017 Wisteria Road, Rockford, Ill. 61107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods as defined by the Commission, and commodities in bulk), between points in the counties of Boone, Carroll, Cook, De Kalb, Du Page, Grundy, Jo Daviess, Kane, Kankakee, Kendall, Lake, La Salle, Lee, Livingston, Ogle, Stephenson, Whiteside, Will, and Winnebago, Ill., to or from any point within the State of Illinois for a shipper or receiver within the above counties. NOTE: Applicant states it will tack at Rockford and Chicago, Ill., with existing authority but does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. The purpose of this republication is to include, "and commodities in bulk" in the exceptions of the commodity description. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 34689 (Sub-No. 13), filed December 8, 1969. Applicant: H. MAYNARD GOULD CO., a Massachusetts trust, Union Street, East Walpole, Mass. 02032. Applicant's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products* from Walpole, Mass., to Boston, Mass., and points in Connecticut, Rhode Island, Vermont, New Hampshire, New York (except New York, N.Y., and Nassau and Suffolk Counties, N.Y.), and points in York, Cumberland, Oxford,

Androscoggin, Sagadahoc, Franklin, Kennebec, Waldo, Lincoln, Knox, Penobscot, Hancock, and Somerset Counties, Maine; and (2) *paper products and waste paper*, from Waterville, Maine, to Walpole, Mass. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract authority under MC 43251, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 37248 (Sub-No. 17), filed November 26, 1969. Applicant: VIRGINIA-CAROLINA FREIGHT LINES, INCORPORATED, Post Office Box 832, V-C Drive, Martinsville, Va. 24112. Applicant's representatives: Spencer T. Money, 110 Park Lane Building, Washington, D.C. 20006, also T. C. Clark (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, between Franklin, Va., on the one hand, and, on the other, points in Delaware, Maryland, New Jersey, Ohio, Pennsylvania, and West Virginia. NOTE: Applicant states that tacking would be possible at Franklin, Va., to perform operations to and from points in North Carolina. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 50069 (Sub-No. 433), filed December 10, 1969. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, and related products*, in bulk, in tank vehicles between the plantsite of Northern Petrochemical Co., located in Grundy County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), including the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52110 (Sub-No. 115), filed December 18, 1969. Applicant: BRADY MOTORFRATE, INC., 2150 Grand Avenue, Des Moines, Iowa 50312. Applicant's representative: Homer E. Bradshaw, 11th Floor, Des Moines Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as defined in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Clarinda, Postville, and Storm Lake, Iowa, to points in Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia. NOTE: Common control may be involved. Applicant states that the re-

quested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC 52704 (Sub-No. 69), filed December 19, 1969. Applicant: GLENN McLENDON TRUCKING COMPANY, INC., Post Office Box 49, LaFayette, Ala. 36862. Applicant's representatives: Guy H. Postell, Archie B. Culbreth, and Frank D. Hall, 1273 West Peachtree Street NE., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Yulee, Fla., to points in North Carolina, South Carolina, Alabama, Georgia, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Virginia, and Maryland. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., or Atlanta, Ga.

No. MC 52932 (Sub-No. 21), filed December 9, 1969. Applicant: NORTH PENN TRANSFER, INC., Box 230, Lansdale, Pa. 19446. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite of Green Giant Co. in the Township of West Sadsbury, Pa., to points in Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, West Virginia, and the District of Columbia. Restrictions: Restricted to shipments originating at the said plantsite and further restricted against tacking or interlining. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 55778 (Sub-No. 14), filed December 10, 1969. Applicant: MOTOR DISPATCH, INC., 2700 Sheffield Avenue, Hammond, Ind. 46320. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Marshall, Macon, Moberly, Milan, and Carrollton, Mo., to points in Illinois, Pennsylvania, Indiana, Ohio, Kentucky, Virginia, West Virginia, Michigan, and Dubuque and Davenport, Iowa. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 63417 (Sub-No. 27), filed December 2, 1969. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, 1814 Hollins Road NE., Post Office Box 2888, Roanoke, Va. 24001. Applicant's representatives: Lester M. Bridgeman and Nancy Pyeatt, 1000 Woodward Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission,

commodities in bulk, and those requiring special equipment), from points in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and West Virginia, to Roanoke, Va. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Roanoke, Va.

No. MC 63417 (Sub-No. 28), filed December 12, 1969. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, 1814 Hollins Road NE., Post Office Box 2888, Roanoke, Va. 24001. Applicant's representative: Nancy Pyeatt, 1000 Woodward Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture parts and materials, equipment, and supplies* used in the manufacture of furniture and furniture parts; (1) from points in Alabama, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, and West Virginia, to points in Virginia on and south of a line beginning on U.S. Highway 250 at the West Virginia boundary and extending generally southeastward along U.S. Highway 250 to Richmond, Va., thence along U.S. Highway 60 to the eastern boundary of Virginia; (2) from points in Alabama, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia, to points in Moore County, N.C.; and (3) from points in Alabama, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia, to points in Sumter County, S.C. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Roanoke, Va.

No. MC 64808 (Sub-No. 8), filed December 12, 1969. Applicant: W. S. THOMAS TRANSFER, INC., 1854 Morgantown Avenue, Post Office Box 507, Fairmont, W. Va. 26554. Applicant's representative: John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers and closures for containers, and equipment, materials and supplies* used in the production, manufacture, and distribution of the above-named commodities, between Fairmont, W. Va., and points in Connecticut, Delaware, District of Columbia, Georgia, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, and Virginia. NOTE: Applicant states it intends to tack at Fairmont, W. Va., to provide service to

and from points in Marion, Harrison, Monongalia, Lewis, Taylor, Harbour, Upshur, Randolph, Preston, and Wetzel Counties, W. Va. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 71452 (Sub-No. 8), filed December 10, 1969. Applicant: INDIANA TRANSIT SERVICE, INC., 4300 West Morris Street, Indianapolis, Ind. 46214. Applicant's representatives: David A. Sutherland and Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the Weir-Cook Municipal Airport (near Indianapolis, Ind.), on the one hand, and, on the other, points in Fulton County, Ind., restricted to shipments having a prior or subsequent movement by aircraft. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 73165 (Sub-No. 278), filed December 19, 1969. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala. 35201. Applicant's representative: R. Connor Wiggins, Jr., Suite 909, 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, iron or steel; fittings, valves, hydrants, and gaskets; iron and steel and iron and steel articles*, between Birmingham, Ala., and points in Alabama on and north of U.S. 80, on the one hand, and, on the other, points in Pennsylvania, New York, New Jersey, Maryland, Delaware, Massachusetts, Connecticut, Rhode Island, New Hampshire, Maine, and Vermont. NOTE: Applicant states that it may tack with present authorities at Birmingham, Ala., for service to or from Georgia, Mississippi, Tennessee, Florida, Louisiana, Texas, Arkansas, Oklahoma, and South Carolina. Applicant further states that it does not seek any duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 73688 (Sub-No. 40), filed December 3, 1969. Applicant: SOUTHERN TRUCKING CORPORATION, 1500 Orenda Avenue, Post Office Box 7182, Memphis, Tenn. 38107. Applicant's representative: Charles H. Hudson, Jr., 833 Stahlman Building, Nashville, Tenn. 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel pipe, fittings, valves, hydrants, and gaskets*, from Birmingham, Ala., and points in its commercial zone to points in North Carolina and South Carolina. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed

necessary, applicant requests it be held at Birmingham, Ala.

No. MC 73688 (Sub-No. 41), filed December 11, 1969. Applicant: SOUTHERN TRUCKING CORPORATION, 1500 Orenda Avenue, Post Office Box 7182, Memphis, Tenn. 38107. Applicant's representative: Charles H. Hudson, Jr., 833 Stahlman Building, Nashville, Tenn. 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing materials, siding, insulating materials, and asphalt* (except commodities in bulk), from Memphis, Tenn., to points in Alabama, Georgia, North Carolina, and South Carolina. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 82841 (Sub-No. 66), filed December 12, 1969. Applicant: HUNT TRANSPORTATION, INC., 801 Livestock Exchange Building, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Woodpulp, paper, and paper products and materials and supplies*, used in the manufacture thereof (except commodities in bulk) between the plantsites of Southland Paper Mills, Inc., at Herty and Sheldon, Tex., on the one hand, and, on the other, points in Colorado, Illinois, Iowa, Kansas, Minnesota, Nebraska, New Mexico, South Dakota, Utah, Wisconsin, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Houston or Dallas, Tex.

No. MC 83539 (Sub-No. 269), filed December 8, 1969. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Dallas, Tex. 75222. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum wallboard, gypsum and gypsum products, and materials and supplies* used in the installation thereof, from Florence, Colo., to points in Kansas on and west of U.S. Highway 183; points in Texas located on and west of the eastern boundaries of Wichita, Archer, Young, Stephens, and Eastland Counties, Tex., and north of the southern boundaries of Andrews, Martin, Howard, Mitchell, Nolan, Taylor, Callahan, and Eastland Counties, Tex., and points in Oklahoma, located in Beaver, Cimarron, Ellis, Harper, Texas, Woods, and Woodland Counties. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Colorado Springs or Denver, Colo.

No. MC 83539 (Sub-No. 270), filed December 19, 1969. Applicant: C & H

TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex. 75222. Applicant's representatives: Wiley Willingham (same address as applicant), and Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Air conditioners, heating and cooling units, and parts and accessories* therefor, from Faribault, Minn., to points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 83835 (Sub-No. 62), filed December 3, 1969. Applicant: WALES TRANSPORTATION, INC., Post Office Box 6186, Dallas, Tex. 75222. Applicant's representative: James W. Hightower, 136 Wynnewood, Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from Pueblo, Colo., to points in Arkansas, Illinois, Louisiana, Oklahoma, Kansas, Missouri, Nebraska, New Mexico, South Dakota, and Texas. NOTE: Applicant states a duplication will result as to some of the commodities, but will eliminate any duplication upon grant of said application. No duplicate authority is being sought. Applicant further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Denver, Colo.

No. MC 87109 (Sub-No. 23), filed December 11, 1969. Applicant: TIDE-WATER INLAND EXPRESS, INC., doing business as T.I.E., Rehoboth Boulevard, Milford, Del. 19963. Applicant's representative: Robert S. Burk, 2001 Massachusetts Avenue, NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier* by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), serving points in Accomack County, Va., as off-route points in connection with applicant's regular route between Milford, Del., and Philadelphia, Pa. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Salisbury, Md., or Philadelphia, Pa.

No. MC 92692 (Sub-No. 5), filed December 8, 1969. Applicant: FREEPORT FAST FREIGHT, INCORPORATED, 4109 West 52d Place, Chicago, Ill. 60632. Applicant's representative: Robert M. Kaske, 2017 Wisteria Road, Rockford, Ill. 61107. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, including high explosives* (except livestock, articles too bulky or too heavy for applicant's equipment, articles of extreme value, and articles in-

jurious to other lading); (1) between Chicago and East Dubuque, Ill., over U.S. Highway 20, serving all intermediate points, and all off-route points within 2 miles of U.S. Highway 20 between Stockton and Belvidere, Ill.; (2) between Chicago and Savanna, Ill., over Illinois Highway 64, serving all intermediate points; (3) between Chicago and Forreston, Ill., over Illinois Highway 72, serving all intermediate points; (4) between Freeport and Rockton, Ill., over Illinois Highway 75, serving all intermediate points; (5) between the Illinois-Wisconsin State line and Dixon, Ill., over Illinois Highway 26, serving all intermediate points, and the off-route point of Penrose, Ill.; (6) between Dixon and La Salle, Ill., from Dixon over U.S. Highway 52 to junction U.S. Highway 51, thence over U.S. Highway 51 to La Salle, and return over the same route, serving all intermediate points; (7) between South Beloit and Rock Island, Ill., over Illinois Highway 2, serving all intermediate points, and the off-route point of Rock Falls, Ill.;

(8) Between Durand and Rockford, Ill., from Durand over unmarked highway to junction Illinois Highway 70, thence over Illinois Highway 70 to Rockford, and return over the same route, serving all intermediate points; (9) between Chicago and Dixon, Ill., over U.S. Highway Alternate 30, serving all intermediate points; (10) between Chicago and Peru, Ill., from Chicago over U.S. Highway 66 to junction U.S. Highway 6, thence over U.S. Highway 6 to Peru, and return over the same route, serving all intermediate points; (11) between Chicago and Winthrop Harbor, Ill., over Illinois Highway 42, serving all intermediate points; (12) between Chicago, Ill., and the Illinois-Wisconsin State line, over U.S. Highway 41, serving all intermediate points; (13) between Waukegan and Marengo, Ill., from Waukegan over Illinois Highway 120 to junction Illinois Highway 47, thence over Illinois Highway 47 to junction Illinois Highway 176, thence over Illinois Highway 176 to Marengo, and return over the same route, serving all intermediate points; (14) between Lake Bluff and Elgin, Ill., from Lake Bluff over Illinois Highway 176 to junction Illinois Highway 63, thence over Illinois Highway 63 to junction Illinois Highway 25, thence over Illinois Highway 25 to Elgin, and return over the same route, serving all intermediate points; (15) (a) between Elgin and Oswego, Ill., over Illinois Highway 25, serving all intermediate points; and (b) between Oswego and Elgin, Ill., over Illinois Highway 31, serving all intermediate points; (16) between Chicago and Mendota, Ill., over U.S. Highway 34, serving all intermediate points; (17) between Joliet and Fulton, Ill., over U.S. Highway 30, serving all intermediate points; (18) between junction Illinois Highway 84 and U.S. Highway 20, and Rock Island, Ill., over Illinois Highway 84, serving all intermediate points; (19) between the Illinois-Wisconsin State line and Lanark, Ill., over Illinois Highway 73, serving all intermediate points;

(20) between the Illinois-Wisconsin State line and Denrock, Ill., over Illinois Highway 78, serving all intermediate points; (21) between junction U.S. Highway 34 and Illinois Highway 65 and Aurora, Ill., over Illinois Highway 65, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 94201 (Sub-No. 83), filed December 19, 1969. Applicant: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, Gadsden, Ala. 35903. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Gadsden, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, iron or steel; fittings, valves, hydrants and gaskets; iron and steel, and iron and steel articles*, between points in Alabama within 65 miles of Birmingham, Ala., including Birmingham, on the one hand, and, on the other, points in Virginia, Pennsylvania, New York, New Jersey, Maryland, Delaware, Massachusetts, Connecticut, Rhode Island, New Hampshire, Maine, and Vermont. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 97275 (Sub-No. 23), filed December 9, 1969. Applicant: ESTES EXPRESS LINES, 1405 Gordon Avenue, Richmond, Va. 23224. Applicant's representative: Francis W. McInerney, 1000 Sixteenth Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between Conway, N.C., and Boykins, Va., from Conway over North Carolina Highway 35 to the North Carolina-Virginia line, thence over Virginia Highway 35 to Boykins, Va., and return over the same route serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C., or Richmond, Va.

No. MC 102616 (Sub-No. 850), filed December 11, 1969. Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Road, Akron, Ohio 44319. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, and related products*, in bulk, in tank vehicles, between the plantsite of Reichhold Chemicals, Inc., located in Grundy County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 102616 (Sub-No. 851), filed December 11, 1969. Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Road, Akron, Ohio 44319. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, and related products*, in bulk, in tank vehicles, between the plantsite of Northern Petrochemical Co. located in Grundy County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103993 (Sub-No. 486), filed December 22, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghe-sani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Undercarriages*, from points in Yamhill County, Oreg., to points in Washington, Oregon, California, Utah, Nevada, Arizona, Idaho, and Montana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 103993 (Sub-No. 491), filed December 30, 1969. Applicant: MORGAN DRIVE-AWAY INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghe-sani and Ralph H. Miller (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats*, from Mishawaka, Ind., to points in the United States (excluding Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 105809 (Sub-No. 13), filed December 15, 1969. Applicant: ROBERT E. MACK, CARL BROWN, SOPHIE R. MACK, ESTELLE M. FUNK, AND THERESA R. MOLLOY, a partnership, doing business as MACK TRANSPORTATION COMPANY, 4330 Torresdale Avenue, Philadelphia, Pa. 19124. Applicant's representative: Robert E. Mack II (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* dealt in by hardware stores, from the warehouse site of Cotter & Co. at Philadelphia, Pa., on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, under contract with Cotter & Co. NOTE: Applicant presently holds common carrier authority under its cer-

tificate MC 10223, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 106398 (Sub-No. 439), filed December 8, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull and Fred Rahal, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Crittenden County, Ark., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Little Rock, Ark.

No. MC 106398 (Sub-No 444), filed December 22, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull and Fred Rahal, Jr. (same address and applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Brunswick County, Va., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107227 (Sub-No. 113), filed December 17, 1969. Applicant: INSURED TRANSPORTERS, INC., 1944 Williams Street, San Leandro, Calif. 94577. Applicant's representative: John G. Lyons, 1418 Mills Tower, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles* (except passenger automobiles) and *chassis*, in initial movements in driveway and truckaway service, and *bodies, cabs and parts of, and accessories* for such vehicles, when moving in connection therewith, from Pomona, Calif., to points in the United States, including Alaska (but excepting Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 107295 (Sub-No. 269), filed December 8, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, plywood panels, hardboard, and particle board, and accessories and molding*

thereto, from Chicago, Ill.; Elkhart, Ind.; Leola, Pa.; and Whiteville, N.C., to points in Alabama, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and Wisconsin. NOTE: Applicant states that the requested authority can be tacked with its existing authority. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107295 (Sub-No. 271), filed December 15, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrought steel pipe, flexible pipe, conduit, fittings, and accessories thereto*, from St. Louis, Mo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 107934 (Sub-No. 21), filed December 16, 1969. Applicant: BYRD MOTOR LINE, INCORPORATED, Post Office Box 787, Lexington, N.C. 27292. Applicant's representative: John R. Sims, Jr., Suite 605, 711 14th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Ronda, N.C., and points in Surry County, N.C., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Ohio, Tennessee, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Greensboro, N.C.

No. MC 108068 (Sub-No. 89), filed December 12, 1969. Applicant: TRI-STATE MOTOR TRANSIT CO., operator of U.S.A.C. TRANSPORT, INC., Post Office Box G, Joplin, Mo. 64801. Applicant's representatives: A. N. Jacobs, Post Office Box G, Joplin, Mo. 64801, and Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aerospace craft and aerospace craft parts*, between points in the city of St. Louis, St. Louis and St. Charles Counties, Mo., on the one hand, and on the other, points in the United States west of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the eastern boundary of Itasca County, Minn., thence northward along the eastern boundaries of Itasca and Koochiching Counties, Minn., to the

United States-Canada boundary line. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or St. Louis, Mo.

No. MC 108068 (Sub-No. 90), filed December 12, 1969. Applicant: TRI-STATE MOTOR TRANSIT CO., operator of U.S.A.C. TRANSPORT, INC., Post Office Box G, Joplin, Mo. 64801. Applicant's representatives: A. N. Jacobs (same address as above) and Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fabricated metal stampings, shipping devices, steel containers, and storage racks and materials* used in the erection and completion thereof, from Macedonia, Ohio, to points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. Applicant states it could possibly tack with existing authority under MC 108068 and Sub-Nos. 39, 43, and 52 at the origin sought, but indicates that it has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 108449 (Sub-No. 304), filed December 5, 1969. Applicant: INDIAN-HEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representatives: Wallace M. Myllenbeck (same address as applicant), and Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, from points in Oneida County, Wis., to points in Upper Michigan and Minnesota. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore, does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis., or Minneapolis, Minn.

No. MC 108449 (Sub-No. 307), filed December 10, 1969. Applicant: INDIAN-HEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representatives: W. A. Myllenbeck (same address as applicant), and Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis. 53702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, from points in Vernon County, Wis., to points in Illinois, Iowa, Minnesota, Upper Peninsula of Michigan, and Wisconsin. NOTE: Applicant states it intends to tack with MC 108449 (Sub-No. 179) through the gateway of Minneapolis, Minn., to serve

the territory of North Dakota and South Dakota. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 109631 (Sub-No. 2), filed October 1, 1969. Applicant: ST. GEORGE TRUCKING CORP., 1071 Bay Street, Staten Island, N.Y. 10305. Applicant's representative: Ira S. Taub, 1040 Forest Avenue, Staten Island, N.Y. 10310. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Radio phonographs, television set, and miscellaneous electronic items* assembled in cartons; *miscellaneous commodities* packed in shipping containers, from Staten Island, N.Y., to Hanover, N.J., under contract with Matsushita Electric Corp. of America. NOTE: If a hearing is deemed necessary, applicant requests it be held at Staten Island, New York City, or Brooklyn, N.Y.

No. MC 110683 (Sub-No. 66), filed December 18, 1969. Applicant: SMITH'S TRANSFER CORPORATION, Post Office Box 1000, Staunton, Va. 24401. Applicant's representative: Francis W. McInerney, 1000 16th Street, N.W., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Frozen foods*, from Lafayette, Ind., to points in Illinois, Kansas, Minnesota, Missouri, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111375 (Sub-No. 31), filed December 12, 1969. Applicant: PIRKLE REFRIGERATED FREIGHT LINES, a corporation, 3567 East Barnard Avenue, Cudahy, Wis. 53110. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Powdered milk, powdered milk containing animal or vegetable ingredients, canned milk and cream, dietary liquids, milk and cream substitutes, beverage and desert preparations, and ingredients* therefor, and *shortening* (except commodities in bulk), from Cameron and Madison, Wis., to points in Washington, Oregon, Montana, Utah, Idaho, California, Colorado, Arizona, Nevada, New Mexico, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Milwaukee or Madison, Wis., or Chicago, Ill.

No. MC 112822 (Sub-No. 140), filed December 9, 1969. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, Okla. 74023. Applicant's representative: Carl L. Wright (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood pulp, paper and paper products*, with *materials and supplies* used in the manufacture thereof on return (except commodities in bulk), between the plant-

site of Southland Paper Mills, Inc., at or near Herty and Sheldon, Tex., and points in Arizona, California, Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas or Houston, Tex.

No. MC 112822 (Sub-No. 144), filed December 19, 1969. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, Okla. 74023. Applicant's representative: Carl L. Wright (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bottle closures*, from the plantsite of Jeffco Manufacturing Co. located near Golden, Colo., to points in California, Minnesota, Missouri, Nebraska, Oklahoma, Oregon, Texas, Washington, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Kansas City, Mo.

No. MC 113333 (Sub-No. 15), filed December 18, 1969. Applicant: ARMORED CAR, INC., 2654 Poydras Street, New Orleans, La. 70119. Applicant's representative: Bruce Baird, Jr., Post Office Box 50783, 2654 Poydras Street, New Orleans, La. 70150. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin, currency, and related money transfers*, between New Orleans, La., on the one hand, and, on the other, Fort Walton, Niceville, Panama City, DeFuniak Springs, Crestview, and Milton, Fla., under contract with Federal Reserve Bank of Atlanta. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 113362 (Sub-No. 174), filed December 15, 1969. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat by-products, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at Albert Lea, Minn., to Buffalo, N.Y., and points in Virginia, restricted to traffic originating at the above-named origins and destined to the above-named destinations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113843 (Sub-No. 156), filed December 19, 1969. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316

Summer Street, Boston, Mass. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* from Chicago and Deerfield, Ill., to points in Virginia, West Virginia, and Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115162 (Sub-No. 188), filed December 11, 1969. Applicant: POOLE TRUCK LINE, INC., Post Office Drawer 500, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood*, from New Albany, Ind., to points in Kansas, Oklahoma, Arkansas, Tennessee, Georgia, North Carolina, and South Carolina. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 115242 (Sub-No. 8), filed December 10, 1969. Applicant: DONALD MOORE, 603 Buchanan Street, Prairie du Chien, Wis. 53821. Applicant's representative: Philip H. Porter, 16 North Carroll Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in bulk, from points in Wisconsin to Dubuque, Iowa, and Peoria, Ill. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis., or Chicago, Ill.

No. MC 115841 (Sub-No. 367), filed December 11, 1969. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. Applicant's representatives: C. E. Wesley (same address as above) and E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite of Morton Frozen Foods, at or near Russellville, Ark., to points in West Virginia, Indiana, Illinois, Iowa, Wisconsin, Michigan, Minnesota, Ohio, and Pennsylvania; restricted to traffic originating at the plantsite and warehouse facilities of Morton Frozen Foods. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Washington, D.C.

No. MC 115931 (Sub-No. 22), filed December 3, 1969. Applicant: BEE LINE TRANSPORTATION, INC., 1202 First Avenue North, Billings, Mont. 59101. Applicant's representative: Gary Paulson (same address as above). Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from points in Rosebud County, Mont., to points in Illinois, Iowa, Nebraska, and Wisconsin. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 116273 (Sub-No. 123), filed December 15, 1969. Applicant: D & L TRANSPORT INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, and related products*, in bulk, in tank vehicles, between the plantsite of Northern Petrochemical Co., located in Grundy County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116763 (Sub-No. 158), filed December 15, 1969. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: W. J. Bohman (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air cleaners, coolers, dehumidifiers, heaters, furnaces, and apparatus integral parts thereof*, and (2) *accessories* used in the installation of items named in (1) above, from Elyria, Ohio, to points in Alabama on and north of U.S. Highway 80; Georgia north of U.S. Highway 80; Jackson and Meridian, Miss., and New Orleans, La. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is held or being sought by applicant. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117427 (Sub-No. 63) (Amendment), filed November 7, 1969, published FEDERAL REGISTER issues of December 11, and December 18, 1969, amended and republished as amended, this issue. Applicant: G. G. PARSONS TRUCKING CO., a corporation, Post Office Box 1085, North Wilkesboro, N.C. 28659. Applicant's representative: Francis J. Ortman, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hardboard, insulation boards, plywoods and/or particleboards*, in straight or mixed truckloads, parts, materials, and accessorial items neces-

sary for the installation thereof, except in bulk, in tank vehicles, from the plant and warehouse sites of the Abitibi Corp. in Wilkes County, N.C., to points in Delaware, District of Columbia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, Georgia, and Alabama; and (2) *commodities* used in the manufacture of hardboards, insulating boards, plywoods, or particleboards, and parts, materials, and accessorial items incidental to the transportation and installation thereof, in truckloads, from points in Delaware, District of Columbia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, Georgia, and Alabama; to the plant and warehouse sites of the Abitibi Corp. in Wilkes County, N.C. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant is also authorized to operate as a contract carrier under MC 116145 and subs, therefore, dual operations may be involved. The purpose of this republication is to broaden the scope of authority in part (1) by adding Alabama and Georgia to the destination area and also to the origin territory in part (2); and to include the exceptions in the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charlotte, N.C.

No. MC 117940 (Sub-No. 13), filed December 3, 1969. Applicant: NATION-WIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products*, as described in section B of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, *dried milk products, and animal and poultry feed*, from points in Minnesota, and Marshfield, Plymouth, Sauk City, and Greenwood, Wis., to points in Texas; and *empty containers* used in transporting the above-specified commodities, from points in Texas, to points in Minnesota, and Marshfield, Plymouth, Sauk City, and Greenwood, Wis.; (2) *cheese*, from points in Wisconsin, to Little Rock, Ark.; Kansas City and Springfield, Mo.; Wichita, Kans.; Memphis, Tenn.; New Orleans, La.; Decatur, Ga.; Los Angeles and San Francisco, Calif.; Phoenix, Ariz.; Denver, Colo.; Oklahoma City, Okla.; and points in Texas; (3) *dairy products* as described in section B of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, *dried milk products, and animal and poultry feed*, from points in Minnesota and Wisconsin, to points in Oklahoma and Arkansas; (4) *dairy products*, as described in section B of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, *dried milk products, and animal and poultry feed*,

from Minneapolis, Minn., to Shreveport, La.;

(5) *Dairy products* as described in section B of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, fertilizer in bags, animal and poultry feed, and dried milk powder, when moving in mixed loads with commodities subject to economic regulation under the Interstate Commerce Act, from Minneapolis, Minn., to Los Angeles, San Francisco, and San Diego, Calif.; Phoenix and Tucson, Ariz.; Reno and Las Vegas, Nev.; Denver, Colo.; and Albuquerque, N. Mex.; (6) *frozen poultry* when moving in mixed loads with commodities subject to economic regulation under the Interstate Commerce Act, from Albert Lea, Minn., to Los Angeles, San Francisco, and San Diego, Calif.; Phoenix and Tucson, Ariz.; Reno and Las Vegas, Nev.; Denver, Colo.; and Albuquerque, N. Mex.; (7) *eggs* when moving in mixed loads with commodities subject to economic regulation under the Interstate Commerce Act, from New Richland and Lakefield, Minn., to Los Angeles, San Francisco, and San Diego, Calif.; Phoenix and Tucson, Ariz.; Reno and Las Vegas, Nev.; Denver, Colo.; and Albuquerque, N. Mex.; (8) *dried milk powder* when moving in mixed loads with commodities subject to economic regulation under the Interstate Commerce Act, from Pine Island, Minn., and Whitehall, Wis., to Los Angeles, San Francisco, and San Diego, Calif.; Phoenix and Tucson, Ariz.; Reno and Las Vegas, Nev.; Denver, Colo.; and Albuquerque, N. Mex.; (9) *butter* from Mondovi, Wis., to Los Angeles, San Francisco, and San Diego, Calif.; Phoenix and Tucson, Ariz.; Reno and Las Vegas, Nev.; Denver, Colo.; and Albuquerque, N. Mex.; (10) *cheese*, from Faribault, Minn., and Plymouth, Kiel, Manitowoc, Monroe, Marshfield, Spencer, Wycena, and Greenwood, Wis., to Los Angeles, San Francisco, and San Diego, Calif.; Phoenix and Tucson, Ariz.; Reno and Las Vegas, Nev.; Denver, Colo.; and Albuquerque, N. Mex.; (11) *dairy products and animal and poultry feed* (except in bulk, in tank vehicles), from Spencer, Wis., to Shreveport, La., and points in Texas; (12) *dairy products and frozen poultry and frozen poultry parts and fats* (except commodities in bulk), from Dubuque, Iowa, and points in Minnesota and Wisconsin (except Green Bay), to points in Connecticut, Delaware, Maryland, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia. NOTE: Applicant now holds permits from this Commission issued in MC 114789 and subs to conduct all of the above operations. It also holds a certificate of public convenience and necessity in MC 117940, Sub-No. 3. *The sole and only purpose of the instant application is to convert the above-mentioned permits to a certificate.* Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 117940 (Sub-No. 14), filed December 18, 1969. Applicant: NATION-WIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from St. Cloud, Minn., to points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, Vermont, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 114789 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 118458 (Sub-No. 2) (Amendment), filed November 5, 1969, published in FEDERAL REGISTER issue of December 11, 1969, amended December 30, 1969, and republished as amended this issue. Applicant: ROBERT G. FRAZIER, doing business as FRAZIER MOTOR CO., 2012 Gihon Road, Parkersburg, W. Va. 26101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap and waste materials*; (1) between points in West Virginia, on the one hand, and, on the other, points in Kentucky, Ohio, Pennsylvania, and Virginia; and (2) between points in Ohio, on the one hand, and, on the other, points in Kentucky, Pennsylvania, and Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to redescribe the territorial authority sought. If a hearing is deemed necessary, applicant requests it be held at Charleston, W. Va.

No. MC 118904 (Sub-No. 13), filed December 19, 1969. Applicant: MOBILE HOME EXPRESS, LTD., 1915 F Avenue, Lawton, Okla. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles in initial movements, from Shawnee, Okla., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Dallas, Tex.

No. MC 118959 (Sub-No. 62), filed December 9, 1969. Applicant: JERRY LIPPS, INC., 130 South Frederick Street,

Cape Girardeau, Mo. 63701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Normal, Ill., to points in Missouri, Kentucky, Tennessee, Georgia, Alabama, Louisiana, Mississippi, Florida, Texas, Arkansas, Arizona, New Mexico, Iowa, Kansas, Colorado, Indiana, Ohio, Michigan, Wisconsin, Minnesota, Nebraska, and Oklahoma. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC-125664, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 118959 (Sub-No. 63), filed December 9, 1969. Applicant: JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, Mo. 63701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, (1) from Glens Falls, N.Y., to points in Pennsylvania, New Jersey, Ohio, Virginia, West Virginia, Kentucky, Tennessee, South Carolina, North Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Texas, Oklahoma, Indiana, Illinois, Missouri, Kansas, Michigan, and Iowa; and (2) from Kalamazoo, Mich., to the points described in (1) above and New York. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC-125664, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 118959 (Sub-No. 64), filed December 16, 1969. Applicant: JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, Mo. 63701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and aluminum products and equipment, material and supplies*, from Highland, Ill., to points in Georgia, Alabama, Mississippi, Kentucky, Tennessee, Louisiana, Texas, Arizona, New Mexico, Oklahoma, South Carolina, North Carolina, Ohio, Pennsylvania, New York, New Jersey, Florida, Kansas, West Virginia, Virginia, California, and Arkansas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 125664, therefore, dual operation may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 118959 (Sub-No. 65), filed December 18, 1969. Applicant: JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, Mo. 63701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials, vinyl, and materials and supplies* used in the installation of buildings, also boards or sheets-building wall and insulation faced with vinyl film, from Jacksonville, Fla., to points in the United

States (except Alaska and Hawaii), (2) *wire and wire products*, from Jacksonville, Fla., to points in Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, New Jersey, Ohio, South Carolina, Tennessee, Texas, and Virginia, and (3) *pipe, tubing, fittings, and couplings; wire or fencing, and equipment and accessories* shipped in connection with all of the above items, *equipment, materials, and supplies* used in the manufacture and process of the above items, on return; from Jacksonville and Miami, Fla., to points in Alabama, Arkansas, Colorado, Georgia, Louisiana, Illinois, Indiana, Kansas, Kentucky, Iowa, Michigan, Minnesota, Missouri, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 125664, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., or Atlanta, Ga.

No. MC 118959 (Sub-No. 68), filed December 22, 1969. Applicant: JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, Mo. 63701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulation, materials and supplies* used in the manufacture of insulation between Parsonburg, Md., on the one hand, and, on the other, points in Florida, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Kentucky, Tennessee, Missouri, Illinois, Indiana, Ohio, Michigan, South Carolina, North Carolina, West Virginia, and Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract authority under MC 125664, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Baltimore, Md., or Washington, D.C.

No. MC 119282 (Sub-No. 8), filed December 18, 1969. Applicant: KRONINGER SERVICE, INC., Mount Bethel, Pa. 18343. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Expanded slag*, in bulk, from Bethlehem, Pa., to points in New Jersey. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 119361 (Sub-No. 5), filed December 5, 1969. Applicant: G & W TRUCK LINE, INC., 1601 East Fourth Street, Hutchinson, Kans. 67501. Applicant's representative: Marion F. Jones, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and advertising matter*, from Belleville, Ill., to East St. Louis, Ill., and

St. Louis, Mo. NOTE: Common control may be involved. Applicant states that it intends to tack the authority sought with the authority held in MC 119361, so as to transport the described commodities from Belleville, Ill., to Wichita, Kans., and points in Kansas within 125 miles of Wichita, via the joinder points of East St. Louis, Ill., and St. Louis, Mo. Application is accompanied by a motion to dismiss. If a hearing is deemed necessary, applicant requests it be held at Kansas City or St. Louis, Mo.

No. MC 119493 (Sub-No. 53), filed November 17, 1969. Applicant: MONKEM COMPANY, INC., West 20th Street Road, Post Office Box 1196, Joplin, Mo. 64801. Applicant's representative: Ray F. Kempt, Post Office Box 1196, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Charcoal, charcoal products, and accessories and advertising material* used in the sale and distribution of charcoal and charcoal products, from the plantsite of Keeter Charcoal Co. and its storage facilities located near Branson, Mo., to points in South Dakota, Nebraska, Kansas, Oklahoma, Missouri, Texas, Arkansas, Louisiana, Mississippi, Tennessee, Kentucky, Minnesota, Michigan, Wisconsin, Iowa, Illinois, Indiana, Alabama, and Georgia, (2) *material and supplies* used in the manufacture and distribution of charcoal and charcoal products, from points in the destination States in (1) above, to the plantsite and/or warehouse facilities of said Keeter Charcoal Co., and (3) *animal and poultry feed and ingredients*, between Joplin, Mo., and points in South Dakota and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119531 (Sub-No. 132), filed December 17, 1969. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, glass containers, caps, covers, tops, stoppers, and accessories* for glassware and glass containers; and *paper cartons*, (1) from Pittsburgh, Pa., to points in Illinois, Indiana, Kentucky, Michigan, and Ohio, and (2) *damaged and rejected shipments* of the commodities described above, from the above described destination points to Pittsburgh, Pa. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 119700 (Sub-No. 15), filed December 18, 1969. Applicant: STEEL HAULERS, INC., 306 Ewing Avenue, Kansas City, Mo. 64125. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. 64125. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood-pulp, paper and paper products with materials and supplies* used in the manufacture thereof of return, between plantsites of Southland Paper Mills, Inc., at Herty and Sheldon, Tex., and points in Missouri, Illinois, Indiana, Michigan, Wisconsin, Arkansas, Iowa, and Oklahoma, restricted against transportation of commodities in bulk. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., Shreveport, La., or Houston, Tex.

No. MC 119767 (Sub-No. 228) (Amendment), filed October 21, 1969, published in the FEDERAL REGISTER issue of November 20, 1969, amended, and republished as amended this issue. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: A. Bryant Torhorst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery goods and frozen prepared foods*, from Deerfield, Ill., and *frozen foods*, from Chicago, Ill., to points in Indiana, Kentucky, Missouri, Michigan, and points in Ohio on and west of a line beginning at Sandusky, then south on Ohio Highway 4 to Marion, then south on U.S. Highway 23 to Portsmouth. NOTE: Applicant states that it could tack to serve points in Wisconsin and Minnesota; however, tacking is not intended. Common control may be involved. The purpose of this republication is to give proper notice of the commodity description. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 231), filed December 4, 1969. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: A. Bryant Torhorst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Prepared food and beverages*, from Munster, Ind., to Cincinnati, Ohio, and (2) *charcoal, charcoal briquets, and products thereof*, and *accessories* sold therewith when moving in mixed shipments, from Waupaca, Wis., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Kansas City, Kans. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Madison or Milwaukee, Wis.

No. MC 123067 (Sub-No. 100), filed December 15, 1969. Applicant: M & M

TANK LINES, INC., Post Office Box 612, Winston-Salem, N.C. 27102. Applicant's representative: B. M. Shirley, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wallboard, insulating materials, and roofing materials, and supplies and accessories used in the installation of wallboard, insulating materials, and roofing materials*, from points in Chatham County, Ga., to points in Kentucky and West Virginia. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 123502 (Sub-No. 30), filed December 19, 1969. Applicant: FREE STATE TRUCK SERVICE, INC., 10 Vernon Avenue, Glen Burnie, Md. 21061. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alloys*, between Kingwood, W. Va., on the one hand, and, on the other, points in Delaware, Illinois, Indiana, Kentucky, Maryland, New Jersey, New York, Wisconsin, Virginia, and points in Pennsylvania on and east of U.S. Highway 219. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123538 (Sub-No. 4), filed December 10, 1969. Applicant: CLAYTON ROSS, doing business as ROSS TRUCKING, Amherst, S. Dak. 57421. Applicant's representative: L. R. Gustafson, Britton, S. Dak. 57430. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer compounds*, from Winona, Minn., to points in North Dakota and South Dakota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Aberdeen, S. Dak., Fargo, N. Dak., or Minneapolis, Minn.

No. MC 123602 (Sub-No. 10), filed October 20, 1969. Applicant: FASTEST WAY MOTOR FREIGHT, INC., West 28th Boone Avenue, Spokane, Wash. 99201. Applicant's representative: Hugh A. Dressel, 702 Old National Bank Building, Spokane, Wash. 99201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Spokane, Wash., and Priest River, Idaho, over U.S. Highway 2, and return over the same route, serving the intermediate point of Old Town, Idaho, points within a radius of 5 miles from Priest River, Idaho, and the off-route points of Coolin, and Nordman, Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at Spokane, Wash.

No. MC 124070 (Sub-No. 14), filed December 15, 1969. Applicant: CHEMICAL HAULERS, INC., 5723 Kennedy Avenue, Post Office Box 2038, Hammond, Ind. 46323. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed supplements*, in bulk, in tank vehicles, from Adrian, Mich., to points in Wisconsin, Illinois, Indiana, Ohio, Pennsylvania, Kentucky, and Michigan. NOTE: Applicant states that it intends to tack at Chicago, Ill., to provide service to the States of Minnesota and Missouri. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124796 (Sub-No. 54), filed December 11, 1969. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Sale Lake Avenue, Post Office Box 1257, City of Industry, Calif. 91747. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Buffing, polishing, cleaning, scouring, and washing compounds; solvents; sponges; starch; lubricating oil; carbon, gum and sludge removing compounds; and, advertising materials and displays moving therewith*, from Kankakee, Ill., to points in New York, New Jersey, Pennsylvania, Massachusetts, and Mauldin, S.C.; Birmingham, Ala.; Richmond, Va.; and Knoxville, Nashville, and Memphis, Tenn., and returned *shipments and materials, supplies, and equipment used in the manufacture and distribution of the said commodities*, on return, under contract with Simoniz Co., Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 124988 (Sub-No. 4), filed December 12, 1969. Applicant: H. H. HOCKER, doing business as TRUCK SERVICE COMPANY, 7385 East 25th Place, Tulsa, Okla. 74129. Applicant's representative: H. C. Lechner, 602 National Bank of Tulsa Building, Tulsa, Okla. 74103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal, charcoal briquettes, vermiculite other than crude, wood chips not charred, charcoal lighter fluid in cans in cartons (Naphtha Distillate), spices and sauces used in outdoor cooking*, from Kingsford Co. plant and warehouse sites near Belle, Mo., and Ellis Spur near Bland, Mo., to points in Arkansas (excluding Little Rock) on and north of Interstate Highway 40 from West Memphis to Little Rock, points on and north of U.S. Highway 70 from Little Rock to Hot Springs, those on and north of U.S. Highway 270 from Hot Springs to the Arkansas-Oklahoma State line; points in Oklahoma (except Oklahoma City and Tulsa), New Mexico, and Texas, under contract with Kingsford Co., and Rogers & Shirley Brokerage Co. NOTE: If a hearing is deemed necessary,

applicant requests it be held at Tulsa or Oklahoma City, Okla.

No. MC 126008 (Sub-No. 1), filed December 15, 1969. Applicant: LAKE STATES CARRIERS, INC., Post Office Box 177, Wheeling, Ill. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum foil and sheet, aluminum foil and sheet containers, plastic sheet, plastic containers, caps and covers for aluminum and plastic containers and material, equipment, and supplies used in the manufacture and distribution of said commodities* (except commodities in bulk): (1) between the plant and warehouse sites of Ekco Products, Inc., at or near Clayton, N.J., Philadelphia, Pa., and Chicago and Wheeling, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin; (2) from Paris, Tex., to Davenport, Iowa, and Ravenswood, W. Va.; (3) between the plant and warehouse sites of Ekco Products, Inc., at Wheeling and Chicago, Ill.; and (4) from Sumter, S.C., to Ravenswood, W. Va., under a continuing contract or contracts with Ekco Products, Inc. NOTE: Applicant, a wholly owned subsidiary of Ekco Products, Inc., now holds substantially the same authority requested, with a minor revision in the commodity description (1) between the plant and warehouse sites of Ekco Containers, Inc. (now Ekco Products, Inc.), at Wheeling and Chicago, Ill., on the one hand, and, on the other, points in Ohio, Arkansas, Nebraska, Minnesota, Wisconsin, Texas, Missouri, Indiana, and Iowa; (2) from Paris, Tex., to Davenport, Iowa; and (3) between the plant and warehouse sites of Ekco Containers, Inc., at Wheeling and Chicago, Ill. The purposes of the instant application are (a) to modify slightly the commodity description in connection with the above-described authority, (b) to permit service from and to new plant and warehouse sites of Ekco Products, Inc., at Clayton, N.J., and Philadelphia, Pa., and (c) to permit service to and from the same territorial scope for all facilities of Ekco Products, Inc. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 126276 (Sub-No. 20), filed December 19, 1969. Applicant: FAST MOTOR SERVICE, INC., 12855 Ponderosa Drive, Palos Heights, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, container components and ends, container tops and closures; and supplies*

used in the manufacture and distribution of metal containers, ends, tops, and closures that move with metal containers, ends, tops, and closures, from the plantsites of Crown Cork & Seal Co., Inc., at St. Louis, Mo., and Cleveland, Ohio, to points in Illinois (except Chicago and points within the Chicago, Ill., commercial zone), under contract with Crown Cork & Seal Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126276 (Sub-No. 21), filed December 19, 1969. Applicant: FAST MOTOR SERVICE, INC., 12855 Ponderosa Drive, Palos Heights, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, container components and ends, container tops and closures; and supplies* used in the manufacture and distribution of metal containers, ends, tops, and closures that move with metal containers, ends, tops, and closures, between the plantsites of Crown Cork & Seal Co., Inc., located at North Bergen, N.J.; Philadelphia, Pa.; Baltimore and Fruitland, Md.; Winchester, Va.; Lawrence, Mass.; Chicago, Ill.; Faribault, Minn.; Bradley, Ill.; St. Louis, Mo.; Spartanburg, S. C.; and Cleveland, Ohio; under contract with Crown Cork & Seal Co., Inc. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126539 (Sub-No. 2), filed December 15, 1969. Applicant: KATUIN BROS., INC., 102 Terminal Street, Dubuque, Iowa 52001. Applicant's representative: Carl E. Munson, Post Office Box 215, Dubuque, Iowa 52001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Salt*, in bulk; and (2) *general commodities*, in bulk (excluding liquid commodities in tank vehicles, and excluding animal and poultry feeds, and excluding diammonium phosphate), between points in Iowa. NOTE: Applicant states that it does not intend to tack. Applicant holds contract carrier authority under MC 129135 Sub 2, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 126548 (Sub-No. 6), filed December 22, 1969. Applicant: ELMER A. FEHRLE, doing business as FEHRLE TRUCKING, 2329 18th Street, SW., Cedar Rapids, Iowa 52404. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber, raggle boards, pallets, skids, wood chips, and sawdust*, from Belle Plaine, Iowa to points in the United States (except Alaska and Hawaii), under contract with Belle Plaine Sawmill; and (2) *semitrailers* (except trailers designed to be drawn by passenger vehicles) and *semitraileer parts*, from Camden, Ark., to Chelsea, Iowa, under

contract with Midwest Truck & Trailer Sales, Inc. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Kansas City, Mo.

No. MC 126930 (Sub-No. 8), filed December 11, 1969. Applicant: BRAZOS TRANSPORT CO., a corporation, East Highway 80, Post Office Drawer 2679, Abilene, Tex. 79604. Applicant's representative: Jerry C. Prestridge, Post Office Box 1148, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, gypsum, and gypsum products, and materials, equipment, and supplies* used in the manufacture, distribution, installation, and application of such commodities, between the plantsite and warehouse of the National Gypsum Co. near Fort Dodge, Iowa, on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Tennessee, Wisconsin, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 127042 (Sub-No. 53), filed December 12, 1969. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packing-houses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except hides and commodities in bulk, from the plantsite and/or storage facilities utilized by Wilson & Co., Inc., at Logansport and Lafayette, Ind., to points in Kansas and Missouri, restricted to traffic originating at the above plantsite and/or storage facilities and destined to the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128377 (Sub-No. 2), filed December 17, 1969. Applicant: CITY AIR FREIGHT, INC., 209 East Barker Avenue, Michigan City, Ind. 46369. Applicant's representative: Wm. L. Carney, 105 East Jennings Avenue, South Bend, Ind. 46614. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, commodities in bulk, and those requiring special equipment), between points in La Porte County, Ind. (except Michigan City, Ind.), and Porter County, Ind. (except Valparaiso, Ind.), and Midway Airport at Chicago, Ill., and O'Hare International Airport at Chicago, Ill., restricted to transportation of commodities having an immediately

prior or immediately subsequent movement by air. NOTE: Applicant states that it intends to join at Michigan City, Ind., for purpose of consolidating with freight picked up at that point of service. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or La Porte, Ind.

No. MC 128460 (Sub-No. 2), filed December 18, 1969. Applicant: JOHN J. CONAHAN, doing business as CENTRAL AIR FREIGHT SERVICE, 26 West Green Street, Hazleton, Pa. 18201. Applicant's representative: John W. Frame, Box 626, 2207 Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment, household goods, and those injurious or contaminating to other lading, between points in Luzerne, Lackawanna, Wyoming, Carbon, Monroe, Northampton, Lehigh, Schuylkill, Columbia, Montour, Sullivan, Wayne, Pike, and Northumberland Counties, Pa., on the one hand, and, on the other, Philadelphia, Pa. Restriction: The operations authorized herein are restricted to the transportation of shipments having a prior or subsequent movement by air. NOTE: Applicant states it now holds the above authority and the purpose of this application is to eliminate the gateway of Hazleton, Pa. If a hearing is deemed necessary, applicant requests it be held at Scranton or Harrisburg, Pa.

No. MC 128490 (Sub-No. 3), filed December 8, 1969. Applicant: ROBERT J. ERICKSON, doing business as BOB ERICKSON TRUCKING, Route 2, Rush City, Minn. 55069. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials and supplies* used in the manufacture and sale of ice cream, ice milk and ice cream and ice milk products, from White Bear Lake, Minn., to Estherville, Iowa, and points in North Dakota, South Dakota, Montana, Minnesota, and Wisconsin, under contract with Kohler Mix Specialties. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128988 (Sub-No. 5), filed December 23, 1969. Applicant: JO/KEL, INC., Post Office Box 22265, Los Angeles, Calif. 90022. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plumbing fixtures and supplies and air-conditioning and heating units* (except articles which, because of size, shape, or weight, require the use of special equipment or special handling), from the plantsite and warehouse facilities of Borg-Warner at Decatur, Ill., to points in California, Arizona, and Nevada, and returned shipments of the above-specified commodities on return, under contract with Borg-Warner. NOTE: If a hearing is deemed

necessary, applicant requests it be held at Washington, D.C.

No. MC 129016 (Sub-No. 4), filed December 1, 1969. Applicant: JOH-LAR TRANSPORTATION, INC., Post Office Box 2097, Muncie, Ind. 47302. Applicant's representative: La Vern Martens, 450 East Illinois Street, Chicago, Ill. 60611. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and materials and supplies* used in the production and distribution of dairy products, between Arthur, Ill., Pana, Ill., Louisville, Ky., on the one hand, and on the other all points in Michigan, Ohio, points in Kentucky on or west of Interstate Highway 65, points in Pennsylvania on or west of U.S. Highway 15, points in Illinois on or south of Interstate Highway 80, points in West Virginia on or north of U.S. Highway 50, and points in Indiana, under contract with Breakstone Sugar Creek Foods, Division of Kraftco Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., Louisville, Ky., or Columbus, Ohio.

No. MC 129526 (Sub-No. 1), filed October 22, 1969. Applicant: FACTOR TRUCK SERVICE, INC., 1065 Alcott Street, Philadelphia, Pa. 19149. Applicant's representative: Robert B. Einhorn, 1540 Philadelphia Saving Fund Building, 12 South 12th Street, Philadelphia, Pa. 19107. Authority sought to operate as a *contract carrier*, by motor vehicles, over irregular routes, transporting: *Automobile and truck wheels and brake drums*, from Detroit and Lansing, Mich., and Newark, Del., to Philadelphia, Pa.; and (2) from Philadelphia, Pa., to points in the New York City, N.Y., commercial zone as defined in Part 1048, Code of Federal Regulations, and points in Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, Union, and Warren Counties, N.J., under contract with Kay Wheel Sales Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 129808 (Sub-No. 5), filed December 12, 1969. Applicant: GRAND ISLAND CONTRACT CARRIER, INC., Rural Route No. 3, Box 46, Municipal Airport, Grand Island, Nebr. 68801. Applicant's representative: Charles J. Kimball, 605 South 14th Street, Post Office Box 2023, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel posts, snow fence, wire clips, baler wire, fencing, barbed wire and lubricating oils, gates and tries* which are used as farm supplies, from the plantsite and storage facilities of Colorado Steel & Wire Co., at or near Loveland, Colo., to points in Idaho, Kansas, Minnesota, Montana, Nebraska, New Mexico, North Dakota, South Dakota, Utah, and Wyoming; (2) *nails, fencing wire, and baling wire*, from St. Paul, Minn., Pueblo, Colo., and Houston, Tex., to points in the States named in (1) above and to the plantsite and storage facilities utilized by Colorado Steel & Wire Co. at or near Loveland, Colo., and (3) *fence post material*, from Fort Worth, Tex., and Sand Springs, Okla., to destina-

tions named in (2) above, under continuing contract or contracts with Colorado Steel & Wire Co., in connection with (1) through (3) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 133013 (Sub-No. 1), filed December 12, 1969. Applicant: E.P. & P. TRUCKING CO., a corporation, 3500 Walnut Street, McKeesport, Pa. 15130. Applicant's representative: John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal awnings, carports, and patio covers, and component parts thereof, coated sheet metals, and materials, equipment, and supplies* (except commodities in bulk), used in the production, manufacture, or distribution of the above-named commodities, between McKeesport, Pa., on the one hand, and, on the other, points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia. Restriction: The operations are limited to a transportation service to be performed, under a continuing contract, or contracts, with Enamel Products & Plating Co., Aircraft Awning Co., and Aircraft Venetian Blind Manufacturing Co. of Pittsburgh, all of McKeesport, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 134006 (Sub-No. 1), filed November 7, 1969. Applicant: JOYCE E. PARKER, doing business as PARKER & SON TRUCKING, 1215 Briggs, Santa Rosa, Calif. 95401. Applicant's representative: Edward J. Hegarty, 100 Bush Street, 21st Floor, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lignin based soil conditioners*, restricted against the transportation of liquid commodities, in bulk, in tank vehicles, from points in Sonoma County, Calif., to points in Oregon and Nevada. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 134220, filed December 10, 1969. Applicant: TED'S OF FAYVILLE, INC., 5 Park Street, Southboro, Mass. 01772. Applicant's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, replacement, and repossessed motor vehicles*, between points in Massachusetts on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 133438 (Sub-No. 2), filed December 15, 1969. Applicant: ROBERT T. LETLOW, doing business as TAHOE TRUCKING, 480 National Avenue, Tahoe Vista, Calif. 95732. Applicant's representative: James J. Guinan, 227 Hill

Street, Reno, Nev. 89501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement* in bulk, from Fernley (Lyon County), Nev., to points in Siskiyou, Modoc, Shasta, Lassen, Tehama, Plumas, Glenn, Butte, Sierra, Colusa, Sutter, Yuba, Nevada, Yolo, Sacramento, Placer, El Dorado, Alpine, Tuolumne, Mono, and Inyo Counties, Calif. NOTE: Applicant states that it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at Carson City, Nev.

No. MC 133588 (Sub-No. 1), filed December 11, 1969. Applicant: KENNETH C. PAGE, doing business as KEN PAGE TRANSFER, 5570 Arrowhead Road, Duluth, Minn. 55811. Applicant's representative: Robert J. Gallagher, 703 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, nonradially between points in Aitkin, Carlton, Cass, Cook, Crow Wing, Itasca, Kanabec, Lake, Pine, St. Louis, Wadena, and Lake of the Woods Counties, Minn., and Ashland, Bayfield, Burnett, Douglas, Iron, Oneida, Price, Rush, Sawyer, Vilas, and Washburn Counties, Wis., restricted to traffic having a prior or subsequent movement in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, or decontainerization of such traffic. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC-133633 (Sub-No. 5) (Amendment), filed November 17, 1969, published FEDERAL REGISTER issue of December 18, 1969, amended December 30, 1969, and republished as amended, this issue. Applicant: HIGHWAY EXPRESS, INC., 712 East Second Street, Post Office Box 1326, Hattiesburg, Miss. 39401. Applicant's representative: Harold D. Miller, Jr., 700 Petroleum Building, Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular and regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (I) Irregular routes: (1) Between points in Mississippi on and south of U.S. Highway 80 and/or Interstate Highway 20, restricted against the movement of traffic between Jackson, Miss., on the one hand, and, on the other, Columbia and points within 10 miles thereof, Prentiss, Bassfield, and Tylertown and points within their respective commercial zones, (2) between New Orleans, La., on the one hand, and, on the other, points in Mississippi on and south of U.S. Highway 80 and/or Interstate Highway 20 (except Columbia and points within 10 miles thereof, Prentiss, Bassfield, and Tylertown, and points within their respective commercial zones), and (3) between Mobile, Ala., on the one hand, and, on

the other, points in Mississippi on and south of U.S. Highway 80 and/or Interstate Highway 20. (II) Regular routes: (1) Between Hattiesburg, Miss., and New Orleans, La., over U.S. Highway 11 and/or Interstate Highways 59 and 10, serving all intermediate points, (2) between Pascagoula and Gulfport, Miss., over U.S. Highway 90, serving all intermediate points.

(3) Serving all intermediate points on U.S. Highway 90 between Gulfport, Miss., and New Orleans, La., in connection with applicant's presently authorized operations between Gulfport and New Orleans over U.S. Highway 90. (4) between Hattiesburg, Miss., and Mobile, Ala., over U.S. Highway 98, serving the intermediate points of Beaumont, New Augusta, and McLain, Miss., and the off-route points of Richton and Overt, Miss., (5) between Poplarville, and Lucedale, Miss., over Mississippi Highway 26, serving all intermediate points, (6) between Lucedale and Pascagoula, Miss., over Mississippi Highway 63, serving all intermediate points. NOTE: Applicant states that it proposes to tack or join Parts I and II and routes of Parts I and II. Applicant proposes to join or tack the requested authority with existing authority which authorizes regular route operations between New Orleans, Gulfport, Wiggins, and Hattiesburg over U.S. Highway 90 and 49. The purpose of Part II of this application is to request regular route authority if the evidence should develop that a portion of the operations applicant proposes to conduct under the requested authority is regular rather than irregular route in character and nature. Further, the purpose of Part II is to request authority to serve certain intermediate points in Louisiana not encompassed by Part I of the application. Common control may be involved. The purpose of this republication is to more clearly set forth the proposed operation. If a hearing is deemed necessary, applicant requests it be held at Hattiesburg or Jackson, Miss.

No. MC 133689 (Sub-No. 4), filed December 18, 1969. Applicant: OVERLAND EXPRESS, INC., 651 First Street SW., New Brighton, Minn. 55112. Applicant's representatives: James A. Sexton (same address as applicant) and Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business, between points in the Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, on the one hand, and, on the other, Grand Island, Lincoln, and Norfolk, Nebr., and Huron, S. Dak.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 76025 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary,

applicant requests it be held at Minneapolis, Minn.

No. MC 133787 (Sub-No. 2), filed December 8, 1969. Applicant: D & O FAIRCHILD, INC., 19 West Washington Avenue, Yakima, Wash. 98902. Applicant's representative: Douglas A. Wilson, 303 East D Street, Yakima, Wash. 98901. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, boxes, fiberboard, paper or pulpboard, in bags, cases, or bundles, and partitions or interior packing forms, fiberboard, paper, or pulpboard, flat or nested in bundles, between Longview and Yakima, Wash., on the one hand, and, on the other, points in Idaho under contract with Longview Fibre Co.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Seattle, Wash.

No. MC 133961 (Sub-No. 1), filed December 8, 1969. Applicant: DONALD L. SIMONS, doing business as SIMONS TRUCKING CO., 721 10th Avenue West, Grand Rapids, Minn. 55744. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn, cribbing, snow fence, lath, and pallets, from the plantsite of Cole Forest Products, Inc., at or near Grand Rapids, Minn., to points in North Dakota, South Dakota, Nebraska, Kansas, Missouri, Iowa, Minnesota, Michigan, Wisconsin, Illinois, Indiana, Ohio, Montana, Wyoming, and Colorado.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 134071 (Sub-No. 2), filed November 17, 1969. Applicant: MODULAR TRANSPORTATION CO., a corporation, 421 West Fulton Street, Grand Rapids, Mich. 48601. Applicant's representative: William D. Parsley, 117 West Allegan Street, Lansing, Mich. 48933. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sectionalized buildings together with necessary tools and equipment for the unloading and placement of said buildings, from Charlotte, Mich., to points on and east of U.S. Highway 83, under contract with Prestige Structures Inc.* NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary applicant requests it be held at Lansing or Detroit, Mich.

No. MC 134173 (Sub-No. 1), filed November 25, 1969. Applicant: JOHN BOYD CONCRETE SERVICE, INC., Plymouth Meeting, Pa. 19462. Applicant's representative: V. Baker Smith, 2107 The Fidelity Building, Philadelphia, Pa. 19109. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities, as are dealt in or sold by building supply companies and materials and supplies used in the manufacture,*

packaging and distribution of such commodities between Gibbsboro, N.J., on the one hand, and, on the other, points in Connecticut, Maine, Maryland, Massachusetts, Delaware, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia, and the District of Columbia. Restriction: The operations sought will be limited to a transportation service to be performed, under a contract or contracts with G. & W. H. Corson, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 134190 (Sub-No. 1), filed December 11, 1969. Applicant: BUCKINGHAM TRUCKING, LTD., a corporation, 1366 Bernard Avenue, Kelowna, British Columbia, Canada. Applicant's representative: Donald A. Ericson, 708 Old National Bank Building, Spokane, Wash. 99201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Boats, boat parts, supplies and equipment, including motors, and boat molds and plugs, between the Spokane Industrial Park, at Trentwood, Wash., on the one hand, and, on the other, the international boundary line between the United States and Canada at or near the port of entry at Oroville, Wash.; under a continuing contract with Canadian Fiberform Ltd.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Spokane, Wash.

No. MC 134197 (Clarification), filed December 4, 1969, published in the FEDERAL REGISTER issue of January 15, 1970, and republished as clarified this issue. Applicant: JACKSON AND JOHNSON, INC., West Church, Box 7, Savannah, N.Y. 13146. Applicants representative: Raymond A. Richards, 23 West Main Street, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs, other than frozen, and canning materials and supplies, between Hamlin, Holley, and Williamson, N.Y., and points in Connecticut, Massachusetts, and Rhode Island.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to more clearly set forth the territorial scope of the application. If a hearing is deemed necessary, applicant requests it be held at Rochester, Buffalo, or New York, N.Y.

No. MC 134222 (Correction), filed December 11, 1969, published in the FEDERAL REGISTER issue of January 15, 1970, and republished as corrected this issue. Applicant: CHARLES R. DISETA, doing business as DISETA TRUCKING CO., 908 Fawn Street, Baltimore, Md. 21202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper cups, paper dishes, plastic cups, plastic lids, and paper covers, from Baltimore, Md., to Washington, D.C., under contract with Solo Cup Co.* NOTE: The purpose of this republication is to include the territorial description erroneously omitted in the previous publication. If a hearing

is deemed necessary, applicant requests it be held at Baltimore, Md., or Washington, D.C.

MOTOR CARRIER OF PASSENGERS

No. MC 134243, filed December 19, 1969. Applicant: MOORE BROS. TRANSPORTATION CO., INC., 740 West Broad Avenue, High Point, N.C. 27260. Applicant's representative: Samuel G. Moore (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers in round-trip charter operations, beginning and ending at points in Rowan, Davidson, Guilford, and Alamance Counties, N.C., and extending to points in the United States (excluding Alaska and Hawaii). NOTE: Applicant states that it does not intend to tack. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Greensboro, or High Point, N.C.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-779; Filed, Jan. 21, 1970;
8:45 a.m.]

[Notice 479]

MOTOR CARRIER TRANSFER * PROCEEDINGS

JANUARY 19, 1970.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71787. By order of January 14, 1970, the Motor Carrier Board approved the transfer to Harry M. Mowrey, Cincinnati, Ohio, of the operating rights in permit No. MC-127598 (Sub-No. 1) issued November 7, 1966, to Robert L. Brewer, Bagdad, Ky., authorizing the transportation of dairy products (except frozen poultry and poultry products), dairy plant equipment (except articles because of size or weight requiring the use of special equipment), and materials and supplies, between Louisville, Ky., on the one hand, and, on the other, points in Kentucky, Tennessee, points in Indiana on and south of U.S. Highway 36, points in Ohio on and south of U.S. Highway 30, and points in West Virginia on and west of U.S. Highway 220. LaVern Martens, registered practitioner, 450 East Illinois Street, Chicago, Ill. 60611, representative for applicants.

No. MC-FC-71810. By order of January 14, 1970, the Motor Carrier Board approved the transfer to Albert Pugh, Sunnyvale, Calif., of certificate No. MC-127267 (Sub-No. 1) issued to Clyde G. Walker, doing business as Walker's Van Service, 184 Bel Ayre Drive, San Jose, Calif. 95117, authorizing the transportation of: New Furniture, uncrated, and new office and store fixtures, uncrated, from specified points in California to points in Oregon and Washington. Edward Hegarty, 100 Bush Street, San Francisco, Calif. 24104, attorney for transferee.

No. MC-FC-71812. By order of January 14, 1970, the Motor Carrier Board approved the transfer to Pernal Trucking Service, Inc., Deer Park, N.Y., of certificate No. MC-127402 (Sub-No. 1) issued December 19, 1967, to George Goldstein, doing business as G. G. Trucking Co., Bronx, N.Y., authorizing the transportation of metal forks, knives, and spoons, from East Farmingdale, N.Y., to points in the New York, N.Y. commercial zone as defined by the Commission. Jerome E. Leon, Post Office Box 635, New York, N.Y. 10008, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-845; Filed, Jan. 21, 1970;
8:49 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case No. 400]

JOHNSTON

Order Denying Export Privileges and Imposing Civil Penalty

In the matter of Johnston (formerly known as Johnston Testers), Post Office Box 36369, Houston, Tex. 77036, respondent.

By charging letter dated August 27, 1969 the Director, Investigations Division, Office of Export Control, Bureau of International Commerce, charged Johnston Testers of Houston, Tex. (whose name has been recently changed to Johnston and will hereinafter be so referred to) with violations of the regulations under the Export Control Act of 1949.¹ In substance it is alleged that as early as August 17, 1967 the firm Petroservice International GmbH (PSI) of Wiesbaden, West Germany and a successor firm by the same name, have been subject to orders denying U.S. export privileges which precluded them from participating directly or indirectly in transactions involving U.S.-origin commodities or technical data; that al-

¹ This Act has been succeeded by the Export Administration Act of 1969, Public Law 91-894, approved Dec. 30, 1969. Section 13(b) of the new Act provides, "All outstanding delegations, rules, regulations, orders, licenses, or other forms of administrative action under the Export Control Act of 1949 * * * shall, until amended or revoked, remain in full force and effect, the same as if promulgated under this Act".

though Johnston had reason to know of this, during the period December 1, 1967 to April 22, 1968, it exported parts and accessories for gas and oil-well drilling equipment, valued at approximately \$66,000 to a firm in the United Kingdom which PSI had engaged as an intermediary; that Johnston knew or had reason to know that PSI was the true party in interest and that prior disclosure of the facts of the transactions should have been made to and authorization obtained from the Office of Export Control and the respondent failed to do either.

The respondent was charged with violations of §§ 387.4, 387.5, 387.6, and 387.10 of the Export Control Regulations for obtaining validated licenses relating to exports to a denied party; for making exportations in which a denied party had an interest; for concealing on export applications the fact that a denied party was the true party in interest.

The respondent through its attorney filed a response to the charging letter in which, in effect, it admitted the allegations except it denied that it knew that one United Kingdom firm had been engaged as an intermediary by PSI and also denied that it knew or had reason to know that PSI was the true party in interest to the transactions. It admitted that it knew or had reason to know that PSI had an interest in the transaction although it did not know what was the nature of the interest. The response also set forth certain circumstances in mitigation.

Pursuant to § 388.10 of the Export Control Regulations the respondent with agreement of the Director, Investigations Division submitted to the Compliance Commissioner a proposal for the issuance of a consent order substantially in the form hereinafter set forth. In said consent proposal the respondent for the purpose of this compliance proceeding only admitted the charges. It waived all rights to an oral hearing before the Compliance Commissioner, and further waived all rights of administrative appeal from, and judicial review of, such order.

The Compliance Commissioner reviewed the facts in the case as disclosed in documentary evidence submitted by the Investigations Division and also reviewed the consent proposal and recommended that it be accepted. He also made Findings of Fact, which after consideration of the record, I adopt as my own.

Findings of fact. 1. The respondent Johnston, formerly known as Johnston Testers, of Houston, Tex., is a division of Schlumberger Technology Corp. which is a wholly owned subsidiary of Schlumberger, Ltd., with offices in New York City, Schlumberger, Ltd., and its subsidiaries carry on oilfield service operations throughout the world. Companies in the Schlumberger group manufacture various types of oilfield equipment and also electronic instruments.

2. By letter dated July 20, 1967 a determination was made by the Director, Office of Export Control that Petroservice International GmbH (PSI) was a related party to Manfred Hardt against

whom an order denying export privileges had been entered and published in the FEDERAL REGISTER on August 4, 1966 (31 F.R. 10480). A notice of the related party determination was published in the FEDERAL REGISTER on August 17, 1967 (32 F.R. 11895). By virtue of said related party determination PSI was prohibited from participating, directly or indirectly, in any manner or capacity in transactions involving commodities or technical data exported or to be exported from the United States. Also, all parties, without prior disclosure to and specific authorization from the Bureau of International Commerce, with knowledge that PSI was a denied party, were prohibited from dealing with PSI in exportations from the United States or participating in such transaction in which PSI might obtain any benefit or have any interest therein, directly or indirectly.

3. A successor firm to the aforesaid PSI was established in September 1967 and was also known as Petroservice International GmbH. On February 19, 1968 the Director, Office of Export Control issued an order against the new PSI, and its technical director, Joseph S. Versch, temporarily denying all U.S. export privileges. This order was published in the FEDERAL REGISTER on February 27, 1968 (33 F.R. 3395). By virtue of the above mentioned determination and orders and the following orders that were published in the FEDERAL REGISTER, PSI has since July 20, 1967 and continuously to the present date been subject to an order denying U.S. export privileges; April 5, 1968 (33 F.R. 5425); April 27, 1968 (33 F.R. 6487); January 15, 1969 (34 F.R. 564); March 13, 1969 (34 F.R. 5186). The names of PSI and Joseph S. Versch were listed and published in the Table of Denial Orders, Supplement No. 1 to Part 388, Export Control Regulations where they have continuously appeared to the present time.

4. All parties who had knowledge of PSI's denied status have been subject to the restrictions as to dealings with denied parties as set forth in Finding 2 above. At all times here material the respondent knew or had reason to know that PSI was a denied party.

5. In December 1966 PSI through its technical director, Joseph S. Versch, began negotiations with respondent for the purpose of purchasing substantial quantities of oil well drilling equipment and parts and accessories therefor. The transaction had not been completed when PSI was notified in July 1967 that it was subject to an order denying export privileges, PSI thereupon obtained the services of a firm in the United Kingdom to act as intermediary for it for the purpose of making the necessary arrangements to obtain from respondent and pay for the commodities desired by it.

6. The United Kingdom firm continued the negotiations with respondent where PSI had left off and on August 11, 1967, placed an order with respondent for the oil and gas field equipment, parts, and accessories that PSI desired to obtain. The respondent knew or had reason to know that the United Kingdom firm was

acting as intermediary for PSI and that PSI was the true party in interest in the transactions.

7. By applications dated November 10 and December 17, 1967 respondent applied to the Office of Export Control for licenses to export the aforementioned commodities to the said United Kingdom firm. In connection with said applications respondent concealed from OEC the fact that PSI was the true party in interest in the transactions. Licenses for the exportations were issued by OEC on November 24 and December 21, 1967.

8. The commodities in question, having an aggregate value of approximately \$66,000, were exported by the respondent to the United Kingdom firm in four shipments on the following dates: December 7 and 29, 1967, January 29 and April 16, 1968.

9. At no time during the transaction or in connection with the exportations did respondent disclose to OEC the facts regarding the interest of PSI in the transaction and respondent did not obtain specific authorization from OEC to participate in a transaction in which the denied party, PSI, had an interest.

Based on the foregoing I have concluded that respondent violated the Export Control Regulations as follows: Section 387.5 in that in connection with two applications for export licenses it concealed the material fact that a denied party was the true party in interest as purchaser in the transaction; § 387.10 in that in connection with the transactions relating to the said applications respondent without prior disclosure of the facts to and specific authorization of the Office of Export Control applied for, obtained, and used validated export licenses and other export control documents and otherwise participated in said export transactions with knowledge that PSI, a party subject to an order denying export privileges, had an interest in said transactions; §§ 387.4 and 387.6 in that without specific authorization it made four exportations of commodities in violation of and contrary to the terms of a denial order issued under the Export Control Act and with knowledge that such exportations were in violation of the Export Control Regulations.

I have considered the record in the case and the recommendations of the Compliance Commissioner concerning acceptance of the consent proposal. The consent proposal is hereby accepted, and being of the view that the following order is calculated to achieve effective enforcement of the law and the purposes thereof, the following order is entered.

Ordered. I. All outstanding licenses in which the respondent, Johnston, formerly known as Johnston Testers, appears or participates in any manner are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. Except as qualified in Part IV hereof, the respondent for a period of 3 years from the effective date of this order is hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction,

involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Control Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction either in the United States or abroad shall include participation: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent but also to its agents and employees and to any person, firm, corporation, or other business organization with which it now or hereafter may be related by affiliation, ownership, control, position of responsibility or other connection in the conduct of trade or services connected therewith.

IV. Four months after the effective date of this order the privileges denied to the respondent shall, without further order of the Bureau of International Commerce, be restored conditionally and thereafter said respondent shall be on probation for the remainder of the 3-year denial period. The condition of probation is that the respondent shall fully comply with all requirements of the Export Administration Act of 1969, and all regulations, licenses and orders issued or effective thereunder, including this order. Validated licenses which are revoked under this order shall not be automatically restored.

V. Upon a finding by the Director, Office of Export Control or such other official as may be exercising the duties now exercised by him, that the respondent has knowingly failed to comply with the requirements and conditions of this order or with any of the conditions of probation said official without notice, when national security or foreign policy considerations are involved or with notice if such considerations are not involved, by supplemental order may revoke the probation of said respondent, revoke all outstanding validated export licenses to which said respondent may be a party and deny to said respondent all export privileges for the remaining period of the order. Such supplemental order shall not preclude the Bureau of International Commerce from taking such further action for any violation as it shall deem warranted. On the entry of a supplemental order revoking respondent's probation without notice it may file objections and request that such order be set aside and may request an oral hearing as provided in section 388.16 of the Export

Control Regulations, but pending such further proceedings the order of revocation shall remain in effect.

VI. During the time when the respondent or other persons within the scope of this order are prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with the respondent or other persons denied export privileges within the scope of this order, or whereby said respondent or such other persons may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, re-exportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for the respondent or other persons denied export privileges within the scope of this order; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VII. In addition to the foregoing sanction and pursuant to § 387.1(b)(3) of the Export Control Regulations a civil penalty of \$1,000 is imposed on respondent for each of the eight violations above set forth, the total penalty being \$8,000, such sum to be paid to the Treasurer of the United States.

This order shall be effective on February 1, 1970.

Dated: January 14, 1970.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 70-818; Filed, Jan. 21, 1970;
8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-154; NADA 6-748V]

JENSEN-SALSBERY LABORATORIES

Tympanol; Notice of Opportunity
for Hearing

An announcement published in the FEDERAL REGISTER of February 5, 1969 (34 F.R. 1739), invited Jensen-Salsbery Laboratories, Division of Richardson-Merrell, Inc., 520 West 21st Street, Kansas City, Mo. 64141, holder of new animal drug application No. 6-748V for Tympanol (a drug containing polymerized methyl silicone), and any other in-

terested person, to submit pertinent data on the drug's effectiveness. Jensen-Salsbery Laboratories provided certain data in response to the announcement; however, available information still fails to provide substantial evidence of effectiveness of the drug for its recommended use in treating frothy bloat in ruminants.

Therefore, notice is given to Jensen-Salsbery Laboratories, and to any interested person who may be adversely affected, that the Commissioner of Food and Drugs proposes to issue an order under the provisions of section 512(e) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 360b(e)) withdrawing approval of new animal drug application No. 6-748V and all amendments and supplements thereto held by Jensen-Salsbery Laboratories for the drug Tympanol on the grounds that:

Information before the Commissioner with respect to the drug, evaluated together with the evidence available to him when the application was approved, does not provide substantial evidence that the drug has the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling.

In accordance with the provisions of section 512 of the act (21 U.S.C. 360b), the Commissioner will give the applicant, and any interested person who would be adversely affected by an order withdrawing such approval, an opportunity for a hearing at which time such persons may produce evidence and arguments to show why approval of new animal drug application No. 6-748V should not be withdrawn. Promulgation of the order will cause any drug containing polymerized methyl silicone, and recommended for the same conditions of use as Tympanol, to be a new animal drug for which an approved new animal drug application is not in effect. Any such drug then on the market would be subject to regulatory proceedings.

Within 30 days after publication hereof in the FEDERAL REGISTER, such persons are required to file with the Hearing Clerk, Department of Health, Education, and Welfare, Office of the General Counsel, Food, Drug, and Environmental Health Division, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20204, a written appearance electing whether:

1. To avail themselves of the opportunity for a hearing; or
2. Not to avail themselves of the opportunity for a hearing.

If such persons elect not to avail themselves of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing the approval of the new animal drug application.

Failure of such persons to file a written appearance of election within 30 days following date of publication of this notice in the FEDERAL REGISTER will be construed as an election by such persons not to avail themselves of the opportunity for a hearing.

The hearing contemplated by this notice will be open to the public except that any portion of the hearing that concerns

a method or process which the Commissioner finds is entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

If such persons elect to avail themselves of the opportunity for a hearing, they are required to file a written appearance requesting the hearing, giving the reasons why the approval of the new animal drug application should not be withdrawn, together with a well-organized and full factual analysis of the clinical and other investigational data they are prepared to prove in support of their opposition to the notice of opportunity for a hearing. The request must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If the hearing is requested and justified by the response to the notice of hearing, the issues will be defined, a hearing examiner will be appointed, and he shall issue a written notice of the time and place at which the hearing will commence (34 F.R. 14596, Sept. 19, 1969).

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: January 13, 1970.

SAM D. FINE,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-839; Filed, Jan. 21, 1970;
8:49 a.m.]

Office of the Secretary DEPUTY GENERAL COUNSEL ET AL. Delegation of Authority To Certify True Copies

Under the authority delegated by the Secretary to the Assistant Secretary for Administration (34 F.R. 17346) and re-delegated to me by the Assistant Secretary for Administration (34 F.R. 18049):

1. I hereby redelegate to the following the authority to certify true copies of any books, records, papers, or other documents on file within the Department, or extracts from such, to certify that true copies are true copies of the entire file of the Department, to certify the complete original record, or to certify the nonexistence of records on file within the Department, and to cause the Seal of the Department to be affixed to such certifications.

These same officials are authorized to cause the Seal to be affixed to agreements, awards, citations, diplomas, and similar documents.

To whom delegated:

- Deputy General Counsel.
- Assistant General Counsel, Division of Business and Administrative Law.
- Executive Assistant to the General Counsel.
- Special Assistant to the General Counsel.
- Secretary to the Deputy General Counsel.

2. I also redelegate to the following the authority to certify true copies of

documents for transmission of such documents to the Office of the Federal Register for publication in the FEDERAL REGISTER.

To whom delegated:

Deputy General Counsel.
Assistant General Counsel, Division of Business and Administrative Law.
Secretary to the Deputy General Counsel.
Secretary to the Assistant General Counsel, Division of Business and Administrative Law.

These authorities may not be redelegated.

Dated: January 16, 1970.

ROBERT C. MARDIAN,
General Counsel.

[F.R. Doc. 70-851; Filed, Jan. 21, 1970;
8:50 a.m.]

DEPARTMENT OF TRANSPORTATION

Hazardous Materials Regulations
Board

SPECIAL PERMITS ISSUED

Correction

In F.R. Doc. 70-389, appearing at page 441, in the issue for Tuesday, January 13, 1970, in the "Subject" column for Special Permit No. 6124; second line, the reference to "DOT 12B" should read "DOT 12H".

CIVIL AERONAUTICS BOARD

[Dockets Nos. 21770, 20781; Order 70-1-84]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Transatlantic Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 16th day of January 1970.

Agreement adopted by Joint Conferences of the International Air Transport Association (IATA) relating to transatlantic fares, Agreement CAB 21537, R-1 through R-13 and R-15 through R-49, Docket 21770.

IATA agreements relating to transatlantic fares, Docket 20781.

There has been filed with the Board, pursuant to section 412 of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conferences 1-2 and 1-2-3 of the International Air Transport Association (IATA), adopted at meetings held in Caracas, Venezuela, in November and December 1969. The agreement, which has been assigned the above designated CAB agreement numbers, would close transatlantic fares as of March 1, 1970, for the duration of the current fare period; i.e., through March 31, 1971.

The Caracas agreement essentially readopts, with some amendments, fare resolutions agreed upon at the preceding

Dallas Traffic Conference which have since been voided and incorporates, with some adjustments, fare changes implemented during the open-fare period. The Contract Bulk Inclusive Tour (CBIT) fares would be retained as agreed to in Dallas. The 14-21 day excursion fares have been readopted at current fare levels although stopovers, heretofore unlimited, will be restricted to two in each direction, exclusive of point of turnaround. On the other hand, the ticket validity will be extended to allow for a maximum stay of 28 days. The 1970 peak travel periods of June 5 through July 5 and July 31 through August 23, eastbound, are revised to June 1 through August 9, eastbound (comparable adjustments also would be made in westbound peak travel periods). The individual inclusive tour fares would be subject to the same stopover restrictions and would expire October 31, 1970. The agreement incorporates new longer-stay excursion fares such as have been introduced in the open-fare period. These fares are to be available for minimum and maximum stay periods of 29 and 45 days, respectively. The agreement would generally maintain the Dallas-agreed affinity group fares with some adjustment in minimum group size requirements and also offers substantially greater reductions for larger groups than the Dallas agreement.

Since the agreement is proposed to become effective in a relatively short period of time, the Board is herein establishing a short deadline for the receipt of comments in support of or in opposition to the agreement.

The Caracas agreement includes some of the same fares adopted in the Dallas agreement which are now pending before the Board in IATA Agreements Relating to Transatlantic Fares, Docket 20781; specifically the CBIT fares and the elimination of the round-trip discount on normal fares. The Board will hear oral argument in Docket 20781 on a date to be fixed hereafter and will permit the parties in that proceeding as well as other interested persons to address themselves to questions raised in their comments relating to the Caracas agreement.

Accordingly, it is ordered, that:

1. Any air carrier party to the agreement, or any interested person, may, within 10 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the subject agreement. An original and nineteen copies of the statement should be filed with the Board's Docket Section.

2. Oral argument on matters pending in Docket 20781 and on issues raised by the subject agreement will be heard at a time and place to be fixed hereafter.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-846; Filed, Jan. 21, 1970;
8:49 a.m.]

[Docket No. 18884]

PACIFIC NORTHWEST-CALIFORNIA INVESTIGATION

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter is assigned to be held before the Board on February 4, 1970, at 10 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., January 16, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-847; Filed, Jan. 21, 1970;
8:49 a.m.]

[Docket No. 21413]

TRANSAMERICA CORP. ET AL.

Notice of Postponement of Prehearing Conference

Transamerica Corp., Tron Van Corp., and Lyon Van & Storage Co. (California) et al.

Pursuant to the request of Bureau Counsel, to which request Counsel for Transamerica does not object, the prehearing conference in this proceeding presently scheduled for February 2, 1970, is hereby postponed to February 4, 1970. The prehearing conference will be held in Room 630, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., beginning at 10 a.m.

Dated at Washington, D.C., January 16, 1970.

[SEAL] E. ROBERT SEAVER,
Hearing Examiner.

[F.R. Doc. 70-848; Filed, Jan. 21, 1970;
8:49 a.m.]

CIVIL SERVICE COMMISSION

DEPARTMENT OF DEFENSE

Notice of Revocation of Authority To Make Noncareer Executive Assign- ment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Assistant to the Secretary of Defense.

UNITED STATES CIVIL SERV-
ICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-894; Filed, Jan. 21, 1970;
10:35 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

COMMON CARRIER SERVICES INFORMATION¹

[Report 475]

Domestic Public Radio Services Applications Accepted for Filing²

JANUARY 19, 1970.

Pursuant to §§ 1.227(b)(3) and 21.26 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

¹ All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

² The above alternative cutoff rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

APPENDIX

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign and nature of application

- 3720-C2-P-70—RAM Broadcasting of Indiana, Inc. (New), C.P. for a new 1-way station to be located at 600 North Alabama Street, Indianapolis, Ind., to operate on base frequency 152.24 MHz.
- 3721-C2-P-70—Planters Rural Telephone Coop., Inc. (New), C.P. for a new 2-way station to be located on Georgia Highway 24, 1 block west of Georgia Highway 21, Newington, Ga., to operate on base frequency 152.600 MHz.
- 3722-C2-P-70—General Telephone Co. of Wisconsin (New), C.P. for a new 1-way station to be located at 20 South Wilson Street, Rice Lake, Wis., to operate on base frequency 152.840 MHz.
- 3723-C2-P-70—General Telephone Co. of Wisconsin (New), C.P. for a new 2-way station to be located at 20 South Wilson Street, Rice Lake, Wis., to operate on base frequency 152.810 MHz.
- 3724-C2-P-70—General Telephone Co. of Wisconsin (New), C.P. for a new 2-way station to be located at 510 Mullet Street, Portage, Wis., to operate on base frequency 152.660 MHz.
- 3725-C2-P-70—General Telephone Co. of Wisconsin (New), C.P. for a new 1-way station to be located at 510 Mullet Street, Portage, Wis., to operate on base frequency 152.840 MHz.
- 3726-C2-P-70—General Telephone Co. of Wisconsin (New), C.P. for a new 1-way station to be located at 43 North First Street, Black River Falls, Wis., to operate on base frequency 158.100 MHz.
- 3727-C2-P-70—General Telephone Co. of Wisconsin (New), C.P. for a new 2-way station to be located at 43 North First Street, Black River Falls, Wis., to operate on base frequency 152.510 MHz.
- 3728-C2-P-70—Joseph H. Wofford, doing business as Radiophone of Houston (New), C.P. for a new 2-way station to be located at 4212 Mount Vernon, Houston, Tex., to operate on base frequency 454.150 MHz.
- 3738-C2-P-(2)-70—Earl R. Law and Bart E. Gonzalez, doing business as Am-Tex Dispatch Service (KLB564), C.P. for additional channel to operate on base frequency 152.12 MHz also make antenna changes for existing base channel 152.21 MHz at station located at 1800 West Second Street, Amarillo, Tex.
- 3739-C2-P-70—General Telephone Co. of Illinois (New), C.P. for a new 2-way station to be located at Fifth Street, 0.3 mile west of Lincoln City Limits, Lincoln, Ill., to operate on base frequency 152.66 MHz.
- 3740-C2-P-(3)-70—Texas Mobile Telephone Co. (New), C.P. for a new 2-way station to be located at G & B Tower Co., 2501 Suntime Road, Corpus Christi, Tex., to operate on frequencies 454.100, 454.125, 454.150 MHz.
- 3741-C2-P-(3)-70—South Central Bell Telephone Co. (KKI449), C.P. to replace transmitter and transmission lines for existing frequencies 152.51, 152.69, 152.75 MHz at station located 8 miles north of Lafayette, La.
- 3742-C2-P-(2)-70—Tel-Page Corp. (KEC521), C.P. for additional transmitters to operate on frequency 43.22 MHz to be located at a new site to be identified as location No. 2: Conley Road, Aurora, N.Y., location No. 3: 7485 Shawnee Road, North Tonawanda, N.Y.
- 3743-C2-P-70—Ace Commercial Services, Inc. (KQZ741), C.P. to make antenna changes for repeater frequency 459.025 MHz at location No. 1: 4 miles northeast of Columbus on Highway No. 12, WCBI-TV Tower, Columbus, Miss.
- 3745-C2-P-70—Vernon H. Johnson (KKT397), C.P. to change antenna system for base frequency 152.21 MHz at location No. 1: LaMosca Peak, 16 miles northeast of Grants, N. Mex.
- 3760-C2-P-(2)-70—The Mountain States Telephone & Telegraph Co. (KOF095), C.P. to make antenna changes for frequencies 152.69 and 152.75 MHz at station located at 6.5 miles southeast of Billings, Mont.
- 3744-C2-P-(5)-70—Southwestern Bell Telephone Co. (KKA819), C.P. for four additional channels to operate on base frequencies 454.425, 454.475, 454.600, 454.650 MHz also change antenna system for existing frequency 152.63 MHz at station located corner of Lockwood Drive and Crites Street, Houston, Tex.
- 3730-C2-P-70—Kidd's Communications, Inc. (KMA257), C.P. to relocate 152.03 MHz facilities at location No. 2 to: 1813 H Street, Bakersfield, Calif., add 15F2 emission and delete standby, also replace transmitter for same.
- 3729-C2-P-70—Southwestern Bell Telephone Co. (KKA819), C.P. to make antenna changes and relocate auxiliary test facilities to: 2538 Fondren, Houston, Tex., operating on frequencies 157.77, 157.89, 157.98, and 158.01 MHz.
- 3775-C2-P-70—Radio Pocket Page, Inc. (KOA796), C.P. to add a second transmitter location to be identified as location No. 2: Northeast corner of Washington Street, and Sixth Avenue, Portland, Ore., to operate on frequency 35.58 MHz.
- 3776-C2-P-70—Harry L. Brock and Francis I. Lambert, doing business as Advanced Communications Co. (KLF495), C.P. to replace transmitter for base frequency 152.15 MHz at location No. 1: Landmark Towers Building, corner of Lincolnia and Stevenson Avenue, Alexandria, Va.
- 3777-C2-AP/AL-(2)-70—Francis I. Lambert and Harry L. Brock, Jr., doing business as Advanced Communications Co. (KQZ755), (KLF495), Consent to assignment of license from: Francis I. Lambert and Harry L. Brock, Jr., doing business as Advanced Communications Co. Assignor to: Harry L. Brock, Jr., trading as Advanced Communications Service Co., Assignee.
- 3778-C2-P-70—Houston Mobilfone, Inc. (KKA343), C.P. to change antenna system for base frequency 152.09 MHz at station located at 4212 Mount Vernon Street, Houston, Tex.

- 3779-C2-P-(2)-70—Houston Radiophone Service (KKA344), C.P. to change antenna system for base frequencies 152.03 and 152.06 MHz at station located at 4212 Mount Vernon Street, Houston, Tex.
- 3786-C2-P-70—Beep Communication Systems, Inc. (New), C.P. for a new 2-way station to be located at Heiderberg Mountains, 2.2 miles west-northwest of New Salem, N.Y., to operate on base frequency 454.225 MHz.
- 3787-C2-P-(2)-70—Southern Bell Telephone & Telegraph Co. (KIN651), C.P. to add frequency 152.57 MHz at station located at 30 West Belmont, Pensacola, Fla., and replace transmitter for existing frequency 152.69 MHz.
- 3784-C2-P-70—The Telephone Co., Inc. (New), C.P. for a new 2-way station to be located 6 miles north, Lucin, Utah, to operate on base frequency 152.78 MHz.
- 3805-C2-P-70—Tel-Page Corp. (New), C.P. for a new 2-way station to be located at Bell Hill, Schuylcr, N.Y., to operate on base frequency 152.06 MHz.
- 3806-C2-AL-70—Advanced Communications Co. (KLP531), Consent to Assignment of license from: Advanced Communications Co., Assignor to: Great Eastern Communications Co., Assignee.
- 3807-C2-P-(2)-70—Comex, Inc. (KCI295), C.P. to add transmitter to be located at a new site to be identified location No. 2: Uncanoonuc Mountain, N.H., to operate on base frequency 43.22 MHz. Also replace transmitter for existing frequency 43.22 MHz.
- 3808-C2-P-(4)-70—Illinois Bell Telephone Co. (KSA802), C.P. to add a fourth channel to operate on base frequency 152.60 MHz also change antenna system for existing frequencies 152.54, 152.63, 152.69 MHz at station located 4 miles northwest of Washington, Ill.
- 6555-C2-P-69—Robert E. Smading (KIO288), Renewal of License expiring Apr. 1, 1969. Frequency: 152.06 MHz. Location: Morrison Road, 2 miles south of Cosmopolis, Wash.
- Correction*
- 3532-C2-P-70—McLean County Telephone Answering Service (New), Correct name of applicant to read: McLean County Telephone Answering Service, ot McLean County Telephone Co. All else to remain the same as reported on public notice Jan. 5, 1970, No. 473.

Informative

It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reason of potential electrical interference.

- Radio Relay Corp. (KQC877), Cincinnati, Ohio, 1340-C2-MP-70.
- Radio Relay Corp. (KQC877), Cincinnati, Ohio, 1840-C2-MP-70.
- E & J Mobile Radio Service (New), Jamestown, Ohio, 2834-C2-P-70.

RURAL RADIO SERVICE

- 3732-C1-P/L-70—The Mountain States Telephone & Telegraph Co. (New), C.P. and license for a new fixed station to be located 23 miles north-northwest of Weston, Wyo., to operate on frequency 157.80 MHz.
- 3733-C1-P/L-70—The Mountain States Telephone & Telegraph Co. (New), C.P. and license for a new fixed station to be located 23.8 miles north-northwest of Weston, Wyo., to operate on frequency 157.80 MHz.
- 3761-C1-P/ML-70—The Mountain States Telephone & Telegraph Co. (KSV89), C.P. and modification of license to add isolator in antenna transmission line operating on frequency 152.54 MHz at station located 6.5 miles southeast of Billings, Mont.
- 3785-C1-P-70—The Telephone Co., Inc. (New), C.P. for a new fixed station to be located at 700 feet south, Lakeside, Utah, to operate on frequency 158.04 MHz.
- The following applications have been received for stations at Fixed Points in Alaska which were formerly authorized to AOS. The connecting facilities in many instances are operated by the Federal Government.
- 3796-C1-P/L-70—RCA Alaska Communications, Inc. (New), C.P. and license for a new fixed station. Frequency: 454.05 MHz. Location: Tropo antenna at Oliktok AFS, Alaska.
- 3797-C1-P/L-70—RCA Alaska Communications, Inc. (New), C.P. and license for a new fixed station. Frequency: 454.05 MHz. Location: 2,000 feet north of airstrip, Prudhoe Bay, Alaska.
- 3798-C1-P/L-70—RCA Alaska Communications, Inc. (New), C.P. and license for a new fixed station. Frequency: 152.51 MHz. Location: Dew Line Station, Bullen, Alaska.

RURAL RADIO SERVICE—CONTINUED

- 3799-C1-P/L-70—RCA Alaska Communications, Inc. (New), C.P. and license for a new fixed station. Frequency: 157.77 MHz. Location: Pan American Well Site, Kavik River, Alaska.
- 3800-C1-P/L-70—RCA Alaska Communications, Inc. (New), C.P. and license for a new fixed station. Frequency: 152.81 MHz. Location: Sag Delta No. 1, Alaska.
- 3809-C1-P/ML-70—The Mountain States Telephone & Telegraph Co. (KPS2), C.P. and modification of license to replace transmitter operating on frequency 158.07 MHz at station located 13 miles east-northeast of Three Forks, Wyo.

Major Amendment

- 2084-C1-P/L-70—RCA Alaska Communications, Inc. (New), Application amended to change frequency from 164.3 MHz to 173.7 MHz. All other particulars to remain the same as reported on public notice dated Oct. 27, 1969, report No. 463.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)

- 3734-C1-P-70—Contoocook Valley Telephone Co., Inc. (KCK54), C.P. to change frequencies 5945 and 6063.8 MHz to 10,955.0 and 10,915.0 MHz toward Crotched Mountain, N.H. Location: Bible Hill, Hillsboro, N.H.
- 3735-C1-P-70—General Telephone Co. of California (KVH65), C.P. to change frequency 2175.4 MHz to 2178.0 MHz toward Portal Ridge, Calif. Location: 44944 North Fern Avenue, Lancaster, Calif.
- 3736-C1-P-70—General Telephone Co. of California (KVH66), C.P. to change frequencies 2125.4 MHz to 2128.0 MHz toward Lancaster and change 2129.0 MHz to 2123.2 MHz toward Lake Hughes, Calif. Location: Portal Ridge, 1.5 miles east of Lake Hughes, Calif.
- 3737-C1-P-70—General Telephone Co. of California (KVH67), C.P. to change frequency 2179.0 MHz to 2173.2 MHz toward Portal Ridge, Calif. Location: 17515 Elizabeth Lake, Pine Canyon Road, Lake Hughes, Calif.
- 3746-C1-P-70—The Ohio Bell Telephone Co. (KQNS2), C.P. to add frequencies 6011.9 and 10,795 MHz toward Springboro, Ohio. Location: 2.5 West Second Street, Dayton, Ohio.
- 3747-C1-P-70—The Ohio Bell Telephone Co. (KQN81), C.P. to add frequencies 6264.0, 11,245, and 6382.6 MHz toward Dayton, Ohio, and add frequencies 6249.1 and 11,525 MHz toward Roschester, Ohio. Location: Five Point-Lytle Road, 2.8 miles east-northeast of Springboro, Ohio.
- 3748-C1-P-70—The Ohio Bell Telephone Co. (KQN83), C.P. to add frequencies 5997.1, 11,075, and 6115.7 MHz toward Springboro, Ohio, and 6011.9 and 10,795 MHz toward Owensville, Ohio. Location: On Strout Road, 3.4 miles northeast of Roschester, Ohio.
- 3749-C1-P/ML-70—American Telephone & Telegraph Co. (KQHZ7), C.P. and modification of license to add frequency 3970 MHz toward Garden City, Va. Location: 725 13th Street NW, Washington, D.C.
- 3751-C1-P-70—South Central Bell Telephone Co. (New), C.P. for a new fixed station to be located at approximately 4.3 miles southeast of Claysville, Ky. Frequencies 3710 and 3790 MHz toward Williamstown and Centerville, Ky.
- 3752-C1-P-70—South Central Bell Telephone Co. (KYC46), C.P. to add frequencies 3750 and 3830 MHz toward Winchester and Claysville, Ky. Location: At approximately 0.4 mile north of Centerville, Ky.
- 3753-C1-P-70—South Central Bell Telephone Co. (KYS48), C.P. to add frequencies 3710 and 3790 MHz toward Centerville, Ky. Location: 232 West Lexington Avenue, Winchester, Ky.
- 3754-C1-P-70—The Western Union Telegraph Co. (New), C.P. for a new fixed station to be located at the Union Trust Building, 1405 G Street NW, Washington, D.C. Frequencies 6004.5 and 6123.1 MHz toward Annandale, Va.
- 3755-C1-P-70—The Western Union Telegraph Co. (New), C.P. for a new fixed station to be located near intersection of Old Columbia Pike and Sleepy Hollow Road, Annandale, Va. Frequencies 6256.5 and 6375.1 MHz toward Harpers Ferry, W. Va., and 6226.9 and 6345.5 MHz toward Washington, D.C.
- 3756-C1-P-70—The Western Union Telegraph Co. (KQO50), C.P. to add frequencies 6004.5 and 6123.1 MHz toward Bloemery, Md., and 5974.8 and 6093.4 MHz toward Annandale, Va. Location: 2.5 miles southeast of Harpers Ferry, W. Va.
- 3757-C1-P-70—The Western Union Telegraph Co. (KQJ49), C.P. to add frequencies 6197.2 and 6315.8 MHz toward Romney, W. Va., and 6286.2 and 6404.8 MHz toward Harpers Ferry, W. Va. Location: Bloemery, 6 miles northeast of Capon Bridge, W. Va.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

- 3758-C1-P-70—The Western Union Telegraph Co. (KQN43), C.P. to add frequencies 5974.8 and 6093.4 MHz toward Blooming, Md. Location: 3 miles southeast of Romney, W. Va.
- 3759-C1-P-70—The Chesapeake & Potomac Telephone Co. of Virginia (KJK33), C.P. to add frequencies 6234.3 and 11,445 MHz toward Stony Creek, Va. Location: 101 North Union Street, Petersburg, Va.
- 3780-C1-P-70—South Central Bell Telephone Co. (KLV92), C.P. to add frequency 11,245 MHz toward station KYAY at West Monroe, La. Location: Catalpa and Grammont Streets, Monroe, La.
- 3781-C1-MP-70—California-Pacific Utilities Co. (KYJ80), Modification C.P. to increase output power for frequency 2179.2 MHz toward Pequop Summit, Nev., via passive reflector. Location: Montello, Nev.
- 3782-C1-MP-70—California-Pacific Utilities Co. (KYJ81), Same as above, Except: Frequency 2171.2 MHz toward Pequop Summit, Nev. Location: 2.7 miles northwest of Wells, Nev.
- 3783-C1-MP-70—California-Pacific Utilities Co. (KYJ82), Same as above, Except: Frequencies 2120.2 MHz toward Wells, Nev., and 2129.2 MHz via passive reflector to Montello, Nev. Location: Pequop Summit, 23 miles east of Wells, Nev.
- 3788-C1-P-70—South Central Bell Telephone Co. (New), C.P. for a new station. Frequencies: 10,715 and 10,875 MHz. Location: 485 Charlotte Street, Charleston, S.C.
- 3801-C1-P-70—The Cincinnati & Suburban Bell Telephone Co. (KQN89), C.P. to add frequencies 5997.1, 6115.7, and 11,075 MHz toward Ownesville, Ohio. Location: 209 West Seventh Street, Cincinnati, Ohio.
- 3802-C1-P-70—The Cincinnati & Suburban Bell Telephone Co. (KQN90), C.P. to add frequencies 6249.1, 11,525 MHz toward Cincinnati, Ohio, and add 6264.0, 6382.6, 11,245 MHz toward Rochester, Ohio. Location: 2.7 miles north of Owensville, Ohio.
- 3803-C1-P/ML-70—The Mountain States Telephone & Telegraph Co. (KPZ64), C.P. and modification license to add 2118.2 MHz toward Orchard, Idaho. Location: Boise Junction, 12.3 miles southeast of Boise, Idaho.
- 3804-C1-P/L-70—The Mountain States Telephone & Telegraph Co. (New), C.P. and license for a new station. Frequency: 2168.2 MHz. Location: 4 miles southeast of Orchard, Idaho. Northwestern Bell Telephone Co. Renewal of licenses expiring Jan. 20, 1970, TERM: Jan. 20, 1970 to Jan. 20, 1971.

Stations

- 5692-C1-R-70 (KYN42), Huron Substation, S. Dak.
 5694-C1-R-70 (KYN43), Clark, S. Dak.
 5696-C1-R-70 (KYN44), Watertown, S. Dak.

Major Amendments

- 1476-C1-P-70—Golden West Telephone Co. (KNK52), Change frequencies on path toward Blythe, Calif. (KNK51) from 5945.2 and 6063.8 MHz to 5960.0 and 6078.6 MHz. All other particulars same as reported in public notice report No. 459 dated Sept. 29, 1969.
- 2050-C1-P/L-70—RCA Alaska Communications, Inc. (New), Change frequencies toward Fire Island, Alaska, to 7135 and 7435 MHz.
- 2051-C1-P/L-70—RCA Alaska Communications, Inc. (New), Change geographic coordinates to lat. 64°50'12" N., long. 147°42'22" W.
- 2053-C1-P/L-70—RCA Alaska Communications, Inc. (New), Change geographic coordinates to lat. 58°17'56" N., long. 134°24'07" W. Add: Passive reflector used on radio path to Lena Point, Alaska, located on Mount Roberts, near Juneau. Geographic coordinates lat. 58°18'05" N., long. 134°23'45" W.
- 2055-C1-P/L-70—RCA Alaska Communications, Inc. (New), Change geographic coordinates to lat. 60°58'57" N., long. 149°35'18" W.
- 2056-C1-P/L-70—RCA Alaska Communications, Inc. (New), Change geographic coordinates to lat. 60°57'52" N., long. 149°26'19" W. All other particulars same as reported in public notice report No. 463 dated Oct. 27, 1969.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

- 3789-C1-P-70—United Video, Inc. (KXQ35), C.P. to add frequency 11,585 MHz on azimuth 270°46'. Location: 0.3 mile north of Peru, Ill., at lat. 41°20'34" N., long. 89°06'42" W.
- 3790-C1-P-70—United Video, Inc. (KXQ32), C.P. to designate receive location in Keqanee, Ill., as a drop point and to add frequency 11,055 MHz on azimuth 257°29'. Location: 3 miles southwest of Princeton, Ill., at lat. 41°20'46" N., long. 89°30'55" W.
- 3791-C1-P-70—United Video, Inc. (KXQ36), C.P. to add frequency 11,585 MHz on azimuth 220°13'. Location: Kewanee, Ill., at lat. 41°16'40" N., long. 89°55'15" W.
- 3792-C1-P-70—United Video, Inc. (KXQ54), C.P. to add frequency 11,055 MHz on azimuth 258°02' and correct station coordinates. Location: 4.5 miles east-northeast of Galesburg, Ill., at lat. 40°57'16" N., long. 90°16'55" W. (Informative: Applicant proposes to provide the television signal of station WCIU to Galesburg and Monmouth, Ill., for delivery to Northwest Illinois TV Cable Co., and to provide the television signals of WGN-TV, WITW, and WFLD-TV to Kewanee, Ill., for delivery to Kewanee Cable Vision, Inc.)
- 3793-C1-P-70—United Video, Inc. (New), C.P. for a new station 1.75 miles southeast of Dallas City, Ill., at lat. 40°37'24" N., long. 91°07'53" W. Frequencies 10,735 and 10,895 MHz on azimuth 112°59'. (Informative: Applicant proposes to provide the television signals of stations WGN-TV and WFLD-TV to Macomb, Ill., for delivery to G.T. & E. Communications, Inc.)
- 3794-C1-P-70—United Video, Inc. (KXQ46), C.P. to change location of receiving site in Dallas City, Ill. Frequencies 11,265 and 11,425 MHz on azimuth 233°36'. Location: 1.1 miles south of Monmouth, Ill., at lat. 40°53'44" N., long. 90°38'48" W.
- 3795-C1-P-70—United Video, Inc. (KXQ33), C.P. to change location of station to 1.75 miles southeast of Dallas City, Ill., at lat. 40°37'24" N., long. 91°07'53" W. Frequencies: 10,735 and 10,895 MHz on azimuth 289°53'.

[F.R. Doc. 70-832; Filed, Jan. 21, 1970; 8:48 a.m.]

[FCC 70-71]

STANDARD BROADCAST APPLICATION READY AND AVAILABLE FOR PROCESSING

JANUARY 16, 1970.

Notice is hereby given, pursuant to § 1.571(c) of the Commission's rules, that on February 25, 1970, the following standard broadcast application will be considered as ready and available for processing:

New, Denver, Colo.
 Denver United Investors Group, Inc.
 Req: 1090 kc., 10 kw., DA-Day.

Pursuant to § 1.227(b)(1), § 1.591(b) and NOTE 2 to § 1.571 of the Commission's rules,¹ an application, in order to be considered with the above application must be in direct conflict with said application, substantially complete and tendered for filing at the offices of the Commission by the close of business on February 24, 1970.

The attention of any party in interest desiring to file pleadings concerning the application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time of filing and other requirements relating to such pleadings.

Action by the Commission January 14, 1970. Commissioners Burch (Chairman), Bartley, Robert E. Lee, Johnson, H. Rex Lee, and Wells, with Commissioner Cox abstaining from voting.

FEDERAL COMMUNICATIONS
 COMMISSION,
 BEN F. WAPLE,
 Secretary.

[SEAL]

[F.R. Doc. 70-833; Filed, Jan. 21, 1970; 8:48 a.m.]

[FCC 70-68]

STANDARD BROADCAST APPLICATION READY AND AVAILABLE FOR PROCESSING

JANUARY 16, 1970.

Notice is hereby given, pursuant to § 1.571(c) of the Commission's rules, that on February 25, 1970, the following application will be considered as ready and available for processing:

NEW, Ironton, Mo.
 Iron County Broadcasting Co., Inc.
 Req: 1510 kc., 250 w., DA-Day.

Pursuant to § 1.227(b)(1), § 1.591(b) and Note 2 to § 1.571 of the Commission's rules,¹ an application, in order to be considered with the above application must be in direct conflict with said application, substantially complete and tendered for filing at the offices of the Commission by the close of business on February 24, 1970.

¹ See report and order released July 18, 1968, FCC 68-739, Interim Criteria to Govern Acceptance of Standard Broadcast Applications, 33 F.R. 10343, 13 RR 2d 1667.

The attention of any party in interest desiring to file pleadings concerning the application pursuant to section 309(d) (1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time of filing and other requirements relating to such pleadings.

Action by the Commission January 14, 1970. Commissioners Burch (Chairman), Bartley, Robert E. Lee, Johnson, H. Rex Lee, and Wells, with Commissioner Cox dissenting.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-834; Filed, Jan. 21, 1970;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Project 682]

FLORIDA POWER CORP.

Notice of Application for Surrender of License for Constructed Project

JANUARY 16, 1970.

Public notice is hereby given that application for surrender of license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Florida Power Corp. (correspondence to: A. P. Perez, President, Florida Power Corp., Post Office Box 14042, St. Petersburg, Fla. 33733) for constructed Project No. 682, known as the Jackson Bluff Plant, located on the Ochlockonee River at Jackson's Bluff and in the vicinity of the cities of Bloxham, Quincy, and about 22 miles south-west of the city of Tallahassee, in the counties of Liberty, Leon, and Gadsden.

The principal project structures consist of: An earthen dam about 21 feet high with a concrete spillway and earth dike; a powerhouse containing three generating units with an installed capacity of 8,800 kilowatts; Lake Talquin reservoir extending about 15 miles upstream from the dam and varying in width from one-half to 1 mile; a short teline extending from the generators to the switchyard; and appurtenant facilities. The application states that after removal of the power generating facilities, Florida Power Corp. proposes to donate to the State of Florida the remaining project structures and the company's interest in more than 30,000 acres of land within the project boundaries.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 4, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become par-

ties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-813; Filed, Jan. 21, 1970;
8:46 a.m.]

[Docket No. CP70-153]

TRANSCONTINENTAL GAS PIPE LINE CO.

Notice of Application; Correction

JANUARY 8, 1970.

In the Notice of Application, issued December 22, 1969, and published in the FEDERAL REGISTER January 1, 1970, 35 F.R. 27, in the first paragraph, change "Docket No. CP70-152" to read "Docket No. CP70-153."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-814; Filed, Jan. 21, 1970;
8:46 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN MALAYSIA

Entry or Withdrawal From Warehouse for Consumption

JANUARY 19, 1970.

On November 18, 1969, the U.S. Government requested the Government of Malaysia to enter into consultations concerning exports to the United States of cotton textile products in Category 51, produced or manufactured in Malaysia. In that request the U.S. Government indicated the specific level at which it considered that exports in this category from Malaysia should be restrained for the 12-month period beginning November 18, 1969 and extending through November 17, 1970. Since no solution has been mutually agreed upon the U.S. Government in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 3, paragraph 3 and Article 6(c) which relates to nonparticipants, is establishing restraint at the level indicated in that request for the 12-month period beginning November 18, 1969, and extending through November 17, 1970. This restraint does not apply to cotton textile products in Category 51, produced or manufactured in Malaysia and exported to the United States prior to the beginning of the designated 12-month period.

There is published below a letter of January 19, 1970, from the Chairman of the President's Cabinet Textile Advisory

Committee to the Commissioner of Customs, directing that the amount of cotton textile products in Category 51, produced or manufactured in Malaysia, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning November 18, 1969 be limited to the designated level.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee,
and Deputy Assistant Secretary for Resources.

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

JANUARY 19, 1970.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the 12-month period beginning November 18, 1969, and extending through November 17, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Category 51, produced or manufactured in Malaysia, in excess of a level of restraint for the period of 9,240 dozen.¹

In carrying out this directive, entries of cotton textile products in Category 51, produced or manufactured in Malaysia and which have been exported to the United States from Malaysia prior to November 18, 1969, shall not be subject to this directive.

Cotton textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of Category 51, in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Malaysia and with respect to imports of cotton textiles and cotton textile products from Malaysia have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. IV, 1965-68). This letter will be published in the FEDERAL REGISTER.

Sincerely,

MAURICE H. STANS,
Secretary of Commerce, Chairman,
President's Cabinet Textile Advisory Committee.

[F.R. Doc. 70-835; Filed, Jan. 21, 1970;
8:48 a.m.]

¹ This level has not been adjusted to reflect any entries made on or after Nov. 18, 1969.

SECURITIES AND EXCHANGE COMMISSION

[File No. 24W-2927]

FLINTLOCK LAND INVESTMENT CORP.

Order Permanently Suspending Exemption

JANUARY 15, 1970.

I. Flintlock Land Investment Corp. (Flintlock), 11200 Lockwood Drive, Silver Spring, Md. 20904, incorporated in the State of Maryland on January 16, 1969, filed with the Commission on May 23, 1969 a notification on Form 1-A and an offering circular relating to an offering of 100,000 shares of its no par value common stock at \$3 per share, for an aggregate offering price of \$300,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission on November 20, 1969, temporarily suspended the Regulation A exemption of Flintlock stating that it had reasonable cause to believe, on the basis of information reported to it by the staff, that:

A. The offering circular of Flintlock omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly:

1. The failure to set forth adequately and accurately the conflicts of interests

involving Harry J. Donahue, president, George J. Cooper, vice president, and Carl E. Werner, treasurer of Flintlock, by virtue of their ownership of an affiliate corporation (Flintlock Corp.) which holds title to or options to acquire the majority of the tract of land, proposed for development or sale as a recreation area, of which they propose to have Flintlock acquire a portion.

2. The failure to apprise investors adequately and accurately of the conflict of interest position Messrs. Donahue, Cooper, and Werner and the affiliate corporation occupy with respect to the proposed development of the land and the possible effect such conflict will have on Flintlock in future transactions involving Flintlock and the affiliate.

3. The failure to apprise investors that the land which Flintlock owns or will own is so situated that its ultimate appreciation in value is dependent upon the land to be retained by Affiliate.

4. The failure to disclose accurately and adequately that the value of the land, which it is proposed Flintlock will own, is dependent in large part upon reacquisition by the affiliate of a certain mountain and that the affiliate might not have sufficient funds to reacquire such mountain in addition to its obligations on the rest of the land comprising the tract.

5. The failure to apprise investors adequately and accurately of past dealings between Flintlock and the affiliate company, and by the affiliate and Messrs. Donahue, Cooper, and Werner in connection with the land which is to be acquired in part by Flintlock with the proceeds of the proposed offering.

6. The failure to disclose accurately and adequately that the affiliated company is dependent upon the proceeds of the offering by Flintlock in order to exercise the options on the land it proposes to sell to Flintlock at a substantial markup over its cost.

7. The failure to disclose accurately and adequately the amount of the investment of Messrs. Donahue, Cooper, and Werner in the affiliated company.

8. The failure to disclose adequately and accurately the dilution of the public's investment upon completion of the proposed offering.

B. The offering, if made, would act as a fraud and deceit upon investors in violation of sections 5 and 17 of the Securities Act of 1933, as amended.

III. No hearing having been requested by Flintlock within 30 days after the entry by the Commission of an order temporarily suspending the exemption of Flintlock under Regulation A, the Commission finds that it is in the public interest and for the protection of investors to permanently suspend the exemption of the issuer under Regulation A.

It is ordered, Pursuant to rule 261(b) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption of Flintlock under Regulation A be, and it hereby is, permanently suspended.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 70-828; Filed, Jan. 21, 1970;
8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JANUARY

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during January.

3 CFR	Page	7 CFR—Continued	Page	8 CFR	Page
PROCLAMATIONS:					
3454 (see Proc. 3953)	141	966	105, 435	214	581
3458 (see Proc. 3953)	141	1001	435	234	581
3548 (see Proc. 3953)	141	1002	435	238	581
3815 (see Proc. 3953)	141	1003	435	299	581
3952	41	1004	435	9 CFR	
3953	141	1005	435	76	164,
3954	875	1006	435		165, 220, 354, 355, 414, 619, 620,
EXECUTIVE ORDERS:					
May 16, 1911 (revoked in part by PLO 4756)	227	1007	231, 435	877, 878	74, 75
11075 (see Proc. 3953)	141	1011	435	10 CFR	
11248 (amended by EO 11504)	579	1012	435	PROPOSED RULES:	
11504	579	1013	435	32	362
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:					
Determination of Dec. 30, 1969	43	1015	435	150	231
5 CFR					
213	70, 219, 354, 381, 457, 527, 901	1016	435	12 CFR	
316	413	1030	435	201	527
330	413	1032	435	204	528
332	414	1033	435	217	528, 878
550	165	1034	435	306	460
890	753	1035	435	308	460
7 CFR					
4	381	1036	435	328	460
17	592	1040	435	330	460
26	219	1041	435	331	460
53	353	1043	435	335	385, 760
54	166	1044	435	545	178, 800
55	166	1046	435	561	179
56	166	1049	435	563	800
70	166	1050	435	564	179
210	281, 753	1060	435	569	620
215	281	1061	435	572	800
220	282	1062	435	640	415
225	282	1063	435	13 CFR	
301	382, 799	1064	435	121	355
319	283	1065	435	PROPOSED RULES:	
401	166	1068	435	121	903
706	593	1069	435	14 CFR	
722	5, 168	1070	435	Ch. I	529
730	71, 353, 799	1071	435	23	303
780	71	1073	435	25	303, 304
811	598	1075	435	39	84, 143-145, 305-307, 620-622, 760
812	72	1076	435	47	801
813	169	1077	435	49	801
814	172	1078	435	61	84, 802
815	174	1079	435	71	6,
850	177	1090	435		101-103, 146, 307-310, 355, 356,
905	72	1094	435	73	356, 460, 623
907	5, 178, 283, 527, 759, 900	1096	435	75	6, 146
908	457	1097	435	91	304
910	73, 384, 619	1098	435	95	761
912	385, 598	1099	435	97	147, 582
1001	353	1101	435	121	84, 161, 304
1005	219	1102	435	127	310
1013	178	1103	231, 435	135	161
1040	900	1104	435	225	162, 460
PROPOSED RULES:					
56	775	1106	435	288	103
201	231	1108	435	378	163, 461
909	628	1120	435	378a	163
910	387	1121	435	PROPOSED RULES:	
		1122	435	21	386
		1124	435	25	386
		1125	435	33	386
		1126	435	37	15, 386
		1127	435		
		1128	435		
		1129	435		
		1130	435		
		1131	435		
		1132	435		
		1133	435		
		1134	435		
		1136	435		
		1137	435		
		1138	435		

14 CFR—Continued

PROPOSED RULES—Continued

39	630
43	386
65	386
71	105,
106, 184, 322-324, 630-635,	812,
813	
91	324, 386
105	386
121	324, 386
127	324
207	466
208	184, 540
214	184
295	184
298	540

15 CFR

376	624
377	624

16 CFR

13	7-10, 311, 416, 417
15	418
501	75

PROPOSED RULES:

243	776
252	363
253	816
423	112
424	326
501	435

17 CFR

150	880
210	313
270	313

PROPOSED RULES:

249	777
-----	-----

18 CFR

101	879
141	879
157	461
201	879
260	879
701	529

PROPOSED RULES:

250	468
260	903
703	545

19 CFR

4	599, 805, 881
6	599
12	531, 881

PROPOSED RULES:

4	767
5	767
10	767
18	767
23	767
24	767
25	361

20 CFR

401	762
404	763
405	76
609	223

21 CFR

16	805
19	530

21 CFR—Continued

27	882
37	806
53	882
120	419, 530, 807, 882
121	225, 419, 462, 530, 625
128a	420
135c	76
148d	531
148e	77
148i	626

PROPOSED RULES:

3	362
17	902

22 CFR

504	807
-----	-----

24 CFR

5	284
203	77, 179, 284
207	77, 179, 285
213	179, 285
220	77, 180, 285
221	180, 286
222	286
231	287
232	180, 287
234	180, 288
235	180, 288
236	180, 288
237	289
241	180
242	289
807	289
1000	180, 289
1100	180, 289

PROPOSED RULES:

1710	812
------	-----

25 CFR

221	880
256	532

26 CFR

13	626, 889
143	763

28 CFR

14	314
21	883

29 CFR

4	883
8	532
20	532, 626
26	532
40	532
541	883
694	461
1500	221
1501	10
1502	10
1503	10
1516	887
1606	421

PROPOSED RULES:

519	361
-----	-----

30 CFR

PROPOSED RULES:

58	539
----	-----

31 CFR

90	78
92	79
93	79
316	702
332	848
341	223
500	224

32 CFR

1	46
2	47
3	54
7	62
12	66
15	67
16	67
18	69
19	69
24	70
26	70
49	807
63	808
818a	888

32A CFR

Ch. X (OIA):

Reg. 1	13, 163
--------	---------

33 CFR

110	809
117	462, 532
206	463
208	463
209	79

36 CFR

7	45
31	422
500	889

PROPOSED RULES:

7	105
---	-----

38 CFR

2	224, 385
3	463
36	181

39 CFR

112	599
135	599
154	599
171	599

41 CFR

5-19	356
5A-7	810
5A-73	810
9-4	764
14-1	225
14-2	289
14-3	226
14-7	226
14-10	290
14-18	356
14-30	226
14H-1	533
101-26	181
101-35	81
114-38	290
114-44	292
114-45	292, 294
114-46	295
114-47	295, 298, 300

42 CFR	Page
57-----	182
78-----	889
81-----	765
201-----	317
206-----	317

PROPOSED RULES:	
78-----	362
81-----	630

43 CFR	
PUBLIC LAND ORDERS:	
1545 (revoked in part by PLO 4754)-----	226
1867 (revoked in part by PLO 4758)-----	227
3529 (revoked in part by PLO 4761)-----	533
4582 (modified by PLO 4760)-----	424
4753-----	317
4754-----	226
4755-----	226
4756-----	227
4757-----	227
4758-----	227
4759-----	227
4760-----	424
4761-----	533

45 CFR	Page
102-----	256, 600
103-----	256
104-----	256
105-----	256
106-----	256
111-----	256
177-----	13
220-----	315, 465
233-----	627
531-----	82
1042-----	82, 83
1050-----	83

46 CFR	
PROPOSED RULES:	
536-----	902

47 CFR	
2-----	357
21-----	424
73-----	533, 810

PROPOSED RULES:	
2-----	468, 543
73-----	544, 776
74-----	543, 815

47 CFR—Continued	Page
PROPOSED RULES—Continued	
81-----	902
89-----	468
91-----	468
93-----	468

49 CFR	
191-----	317
371-----	431
1033-----	45, 894, 895
1048-----	600
1056-----	537
1307-----	183

PROPOSED RULES:	
190-----	325
371-----	106
375-----	813
Ch. X-----	231
1048-----	816
1201-----	545

50 CFR	
28-----	164, 321, 463, 464, 601, 895, 896
32-----	228
33-----	431, 537, 896-899
240-----	228

